

NJSIAA

INTERPRETIVE GUIDELINES

FOR STUDENT-ATHLETE

ELIGIBILITY



2018 – 2019

TABLE OF CONTENTS

Overview	1
Administrative Responsibility	1
Most Commonly Applied Eligibility Rules	2-5
Transfer Chart	6
Filing a Transfer Form	6-7
Observance of Eligibility Standards and Appeals.....	7-8
Waivers	8-9
Filing a Request for an Eligibility Waiver	9
Enforcement of Eligibility Standards.....	9-10
Team/Individual Sports Chart.....	10
International Student Eligibility Guidelines	10
Definition of International Students & Accepted International Student Programs.....	10
Conditions of Eligibility	11-12
Accepted Programs/Purpose	12
Selection.....	12-13
Agreements/Orientation/Prior to 9 th Grade/Insurance/Geographical Distribution/Placement.....	13
Supervision/Financial Responsibility/Suspension/Revocation of Program Designation.....	14
NJSIAA Eligibility / Responsibilities	14-15
FAQ Eligibility Standards.....	16-20
FAQ Waivers: Age, Credit, Semesters, Other	20-21
FAQ Out-of-Season, Summer Recess, and Common Questions for Clarification	22-26

NJSIAA INTERPRETIVE GUIDELINES FOR STUDENT-ATHLETE ELIGIBILITY

Overview

Since its foundation in 1918, the NJSIAA has strived to maintain eligibility standards for Student-Athletes attending its member schools which assure that athletic competition is subordinate to the academic goals of its member schools. At the same time, the Association has fostered eligibility standards which equalize competition among member schools, and provide a broader opportunity for students to compete in interscholastic competition. Accordingly, the Association now maintains a comprehensive set of eligibility rules and regulations, set forth in Article V of its Bylaws, which are incorporated in the NJSIAA Handbook which is available on our website and can be accessed by all member schools each year.

Although the eligibility standards are quite explicit, the NJSIAA provides a member school with the interpretation of its eligibility decision upon request, based on individual appeals. Nevertheless, several schools have challenged both these regulations and their interpretation by the NJSIAA Executive Committee. The Commissioner of Education has now issued a series of decisions upholding both these guidelines, as well as their interpretation by the Association, and penalties which have been imposed upon member schools who have utilized ineligible athletes in interscholastic competition. In view of these developments, the NJSIAA believes that it is imperative that Principals of member schools, as well as their Athletic Directors and coaches, review the applicable NJSIAA rules and regulations and these interpretive guidelines, which merely set forth earlier published rulings by the Association. In order to reduce unnecessary litigation and at the same time encourage truly meritorious appeals to be made by students, the Association is requiring all of these local school personnel to familiarize themselves with the regulations and these guidelines and to certify that they have done so in affidavits which must be submitted to the NJSIAA Headquarters by October 1st of each year.

Administrative Responsibility

The NJSIAA must rely upon voluntary compliance to its eligibility regulations by member schools. The Association has a very small professional staff and unless such voluntary compliance occurs, it will be impossible to maintain the comprehensive eligibility standards and the goals that those standards seek to foster. Accordingly, the Principal of each member school is responsible for personally assuring that Student-Athletes and coaches comply with the eligibility regulations of the NJSIAA. The Commissioner has held that this responsibility cannot be abdicated to other personnel who might thereafter not fulfill this responsibility. Therefore, it is imperative that the Principals assure that the responsible athletic staff review, all of the pertinent eligibility rules and regulations and these guidelines. Principals and responsible high school administrators are obligated to assure that athletic recruitment and athletic transfers do not occur. After this responsibility is assumed, the ineligibility affidavits must be completed and filed with the NJSIAA Headquarters by October 1st of each year. In addition, the administration of every school has the obligation to advise appealing students and their parents of their rights as set forth in the NJSIAA Handbook.

Misinterpretation of NJSIAA eligibility regulations or the failure by the school's staff to properly advise a Student-Athlete will not be considered grounds for waiver of the eligibility regulations.

Most Commonly Applied Eligibility Rules

Although Section 2 of Article V of the NJSIAA Bylaws covers a broad spectrum of eligibility regulations, ranging from preserving the amateur athletic status of students to prohibiting athletic recruitment among member schools, the eligibility standards which are most frequently applied by the NJSIAA are those dealing with age, academic standards, the semesters of eligibility and transfers.

- a. Age – Article V, 4.C of the Bylaws provides that an athlete cannot participate in interscholastic athletics if he or she has reached the age of nineteen (19) prior to September 1 of any year. That rule further provides that a birth certificate or baptismal certificate or other proofs including earlier school records can be used to verify a Student-Athlete’s age. This rule is not only aimed at preventing “red shirting” but is also aimed at encouraging students to satisfactorily complete their academic studies starting with the elementary school level. It is also a safety measure to assure that 13- and 14-year-old students are not expected to compete against adults who are six or more years older, with substantially greater physical size, strength and skills. In view of this paramount safety factor, waivers of this rule will be granted by the NJSIAA in only truly extraordinary circumstances.

It is recognized that as a result of their Individual Education Program (IEP), many handicapped students will be required to extend their elementary and secondary education beyond the customary twelve years. Since the NJSIAA supports the fullest participation of classified or disabled students, consistent with their IEPs and appropriate physical examinations, member schools should encourage such students to compete in interscholastic sports for their permitted four years of eligibility, even when they are attending the 7th or 8th grade classes, special education classes or satellite schools. In such cases the schools should seek a waiver from the NJSIAA. Accordingly, Article V, Section 4.I of the Bylaws has been modified to allow participation of students below the ninth grade when a waiver has been granted. In this way the age requirement will have a minimum impact upon students, who would be otherwise eligible to participate for the normal four years of eligibility. If, as a result of circumstances beyond his/her control, such a student cannot be eligible for four years because of the age rule, that rule may be waived in non-contact sports where physical contact is not a factor (bowling, cross-country, fencing, golf, gymnastics, skiing, swimming and diving, tennis, track and volleyball). In contact sports, the rule may be waived if the student can’t comply due to circumstances beyond the student’s control. A determination will take into account the size, agility and skills of the student in question and the degree to which these issues will not fundamentally alter the competition.

Where waivers of the age or eight semester rules are sought on the grounds that a student is handicapped, the NJSIAA will carefully assess the circumstances under which the student was classified. To prevent “red shirting,” or circumvention of article v, section 4.e credits, waivers will not be granted where the classification occurred just prior to/or during the student’s secondary schooling.

- b. Academic Standards – In December 1983, the general membership of NJSIAA voted to strengthen the academic standards set forth in Article V, 4.E of the Bylaws.

It must be emphasized that these academic standards are minimal requirements and many member schools have adopted additional, more restrictive, requirements with the full support of the NJSIAA. Any school adopting more restrictive requirements will have the exclusive authority to grant exceptions to these local requirements, provided that the statewide standards set forth in Article V, 4.E are maintained.

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). -appeals, therefore, will not be heard because a student has failed a course and has not attained the necessary credits to satisfy Section 4.e.

Additional interpretations of the NJSIAA academic standards are as follows:

- i. 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 credits.
- ii. 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 12¹/₂% (15 credits) of the State minimum (120 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. Students should be cautioned not to register for the minimum credits (15) in their first semester of their senior year, since a failure of just one course will result in ineligibility in the second semester. 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.
- iii. Member schools are cautioned that the NJSIAA will not grant any exceptions to the minimum statewide standards for an entire school district or school. Thus, schools will not be permitted to “average” academic achievement for students so as to allow them to be eligible even though they have not accumulated the requisite proportion of the State minimum according to their semester of attendance (e.g., a school may not allow a student who failed 2 courses in his/her first semester to be eligible the following semester because he/she received an “A” in the remaining courses, so as to constitute an average of “C” or above for all courses).
- iv. 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.
- v. If a student has left school, but re-enrolls, he/she will be eligible thirty (30) calendar days from the date of re-enrollment.
- vi. 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.
- vii. 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 a semester, upon being readmitted at the beginning of the next semester, is ineligible for failure to meet the requirements of this section.
- viii. 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).
- ix. Any summer work for makeup purposes, completed and approved by the school before the sixth school day, in the semester starting in September, may be used for eligibility purposes.

- c. The Eight Semester Rule – Article V, 4.J of the Bylaws basically provides that, with the exception of honorably discharged servicemen and servicewomen, and classified students who are ungraded, no student shall be eligible for high school athletics after the expiration of eight consecutive semesters following his/her entrance into the 9th grade. This rule is intended to prohibit “red shirting,” and is also aimed at preventing athletically gifted pupils who are not meeting academic standards from replacing other students who are maintaining their academic standards but who might not have the same athletic prowess. The rule is also aimed at maintaining a uniform progression among all member schools within a four-year cycle and equalizing competition within these schools.

Unfortunately, despite its explicit terms and its obvious objectives, some member schools have interpreted this rule as applying to eight semesters of competition rather than eight semesters of attendance in a secondary school. The NJSIAA will not permit a student to participate in any sport for more than four seasons. Students below the 9th grade who participate on a high school team will be ineligible at the conclusion of eight consecutive semesters. The fact that a student has not participated for four seasons will not in itself justify allowing such a student to participate in interscholastic sports beyond the eighth semester after his or her entrance into the ninth grade. Since the NJSIAA carefully regulates practice and scrimmages and is most concerned over the possibility of “red shirting,” “participation in any sports season will begin on the very first day that a Student-Athlete participates in or attends practice in a particular sport.

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.

- d. Transfers – Article V, 4.K is a detailed provision governing transfers of student-athletes from one school to another and should be carefully read by all responsible local school personnel. Basically, this section is aimed at preventing athletic recruitment of promising athletes by member schools or a transfer by a student or by his or her parents to another school for athletic advantages.
 - i. Subsection (1) allows a transferring student-athlete to be immediately eligible where there is a bona fide change of residence; that is, a change of residence in which the parent/guardian moves with the student from one public high school district to another public high school district. However, in order for a student to be immediately eligible, both the former and present 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. The parent or guardian will be required to complete an affidavit with proof of present residence to the new school. The form will be filed with the NJSIAA and the affidavit maintained by the present school for inspection by the NJSIAA, if necessary. A student will also be immediately eligible if the student has been reassigned by the student’s district.
 - ii. An assignment by the Division of Child Protection and Permanency, the Courts or by the Board of Education normally means a transfer within a school system or an assignment of a student to a school outside of his or her present district which provides a specialized education program. It does not mean a voluntary transfer from another school system, accompanied by the designation of a particular school by the receiving Board of Education; nor does it mean a disposition by a court or agency as a result of a juvenile or criminal complaint against the student.

- iii. A student-athlete in grades 9, 10, 11 or 12 transferring from one secondary school to another, without a bona fide change of residence by that student's parent or guardian will be ineligible to participate for a period of 30 calendar days which will commence with the first interscholastic game played by the involved school, if that student had participated in that particular sport at the varsity level. A grade 9, 10, 11, or 12 student who has not participated in a sport on the varsity level at his/her previous school will be eligible to participate immediately in the sport at the new school. 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.

Since the minimal thirty (30) day period of ineligibility is intended by the member schools to serve as a deterrent for students transferring from one school to another school without a bone fide parental/guardian change of residence and is recognized as the most lenient transfer penalty in the United States, appeals will not be heard, regardless of reason.

While the amendments to Subsections d. and ii. are expected to curtail transfers for athletic reasons or a result of athletic recruitment, unfortunately zealous coaches, parents or third parties have facilitated athletic transfers by establishing fictitious residences and other methods to circumvent the thirty (30) day ineligibility period.

If the Principal and Athletic Director of the student's former school refuse to sign a Transfer Form, then a hearing shall be held at the next scheduled meeting of the Eligibility Appeals Committee and an oral decision reached on that date, which shall thereafter be expressed more fully in writing by either Committee within ten days. Until that hearing is concluded, the transferring student shall be ineligible.

The Association recognizes that a desire to participate in interscholastic sports may be one of a number of considerations involved in a transfer, in addition to factors such as finances, academic, religious training, social and transportation. However, if after a hearing, either committee determines that the primary reason for the transfer was for athletic reasons, then a violation of Subsection (6) will be found. The student would then be subject to a one (1) year period of ineligibility.

If the NJSIAA determines that there has been athletic recruitment by a member school, then not only will the athletes be subject to be declared ineligible, but the recruiting school will be subjected to appropriate disciplinary sanctions, including suspension or expulsion among other penalties. Consequently, the Principal of both the former school and the new school of a transferring student must verify that there has been neither athletic recruitment nor a transfer for athletic advantage on the appropriate Transfer Forms, furnished by the NJSIAA.

TRANSFER CHART
(Summary of Key Rules Regarding Transfers)

	Practice	Scrimmage	Regular Season
With bona fide change of residence:			
Varsity level participation	Yes	Yes	Yes
Sub-varsity level participation	Yes	Yes	Yes
Without bona fide change of residence:			
Varsity level participation	Yes	Yes	Yes*
Sub-varsity level participation	Yes	Yes	Yes*

*After thirty (30) day sit period or half of maximum games.

Bona fide change of residence is defined as moving with a parent/guardian from one public secondary school district to another public secondary school district. A bona fide change of address, with or without varsity participation, only negates the 30-day/half of the maximum games sit rule, not the prerogative of a school to challenge the transfer on grounds of athletic advantage or recruitment. If the previous school exercises its prerogative to challenge the transfer on said grounds, the student athlete may not compete in any level of interscholastic contest until there is a hearing by the NJSIAA Eligibility Appeals Committee and a decision rendered.

Varsity Participation is defined as playing in one play of an interscholastic varsity level regular or post season contest. This participation refers to either the previous school year prior to/or the present school year of the transfer.

Thirty (30) day sit out period begins with the first regular season interscholastic scheduled contest played.

If a transfer occurs during the season of the sport in question, and it requires a thirty (30) day sit out, the clock starts from the first day of attendance in the “new” school. If the student athlete is not able to complete the 30 days prior to the end of the regular season, the remaining days must be finished the following school year in that sport season.

Note that students transferring during the season may not be eligible for post season competition. See the specific sport regulations (Rules 3 through 24) for more detailed information.

Scrimmages refer to pre-season scrimmages only and not scrimmages during the season or post season for those sports that allow such.

Filing a Transfer Form

Whenever a student-athlete transfers from one secondary school to another, the Principal or Athletic Administrator of the student’s present or new school must process the Transfer Form. The process may be initiated via the Online Transfer Process (in state transfers only) or use of the Transfer Form located on the NJSIAA website. The Transfer Form must be used if the student is transferring into New Jersey from another state.

This means that a Transfer Form must be completed whether or not the student has transferred as a result of a parental change of residence. Upon completion of the Transfer Form, the form must be forwarded to the previous school and competed in full providing the proper signatures, varsity participation in any sport, and checking recruitment or athletic advantage if applicable. The previous school must return the signed form immediately to the present school. Schools are cautioned that if the transfer occurs during the school year, the school should not forward the Transfer Form to Previous School until student has officially

enrolled on a for-credit basis, i.e., registration plus actual attendance. If the transfer occurs during the summer, the Transfer Form should be forwarded from the present school to the previous school when the student enrolls in the new school, in order to assure that the student is eligible to participate when school starts.

The guidance department should notify the athletic department of all transfer students upon enrollment so that Transfer Forms may be processed immediately when the transfer student-athlete reports as a candidate for the team.

If forms are duly signed, the present school must return a copy of the completed form to the previous school and to the NJSIAA noting the date of eligibility to participate.

Coaches must be alerted to identify all transfer students at the first practice session, or when new candidates report, so that the player does not suffer a period of ineligibility.

Refusal to sign a transfer form may not be based upon nonpayment of fees, tuition or failure to return school property and the like.

Observance of Eligibility Standards and Appeals

The NJSIAA maintains two committees to deal with questions of eligibility: Eligibility Committee and the Eligibility Appeals Committee

The Eligibility Committee makes initial determinations concerning the Student-Athletes eligibility based primarily upon written requests and documentation provided by member schools to the NJSIAA. The schools are required to provide all appropriate information as indicated on the Eligibility Waiver Request Form, This Committee meets at the beginning of each of the three sports seasons and at the conclusion of each academic year. (August, October, December, February, April, May).

The Eligibility Appeals Committee, consisting of members of the NJSIAA Executive Committee was established to consider both appeals from initial decisions of the Eligibility Committee and to hear appeals that arise during the school year but which cannot be dealt with in a timely manner by the Eligibility Committee. The Eligibility Appeals Committee hearings are scheduled to coincide with the September Executive Committee meeting and thereafter at the November, January, March, May and June meeting dates of the Executive Committee. Additional appeals hearings could be held on the meeting dates of the Executive Committee as determined by the Executive Director in consultation with the Hearing Officer. The Eligibility Appeals Committee functions specifically as set forth in Section 2 of Article XIII of the NJSIAA Bylaws.

In addition, the Eligibility Appeals Committee will hear all initial testimony in the case of unsigned Transfer Forms.

This section provides that an appeal may be disposed of on written submissions or at a hearing, where parties will be entitled to counsel, the right to present witness testimony and cross-examination, and other matters which should be carefully reviewed by all member schools.

Accordingly, if a school has any doubt whatsoever about the eligibility of a student, it should contact the NJSIAA Headquarters for an initial interpretation and, if necessary, submit a formal request to the NJSIAA for an eligibility ruling by the Eligibility Committee prior to the beginning of each of the sports seasons. If time will not permit such a submission to that Committee, then appeals should be made to the Eligibility Appeals Committee in the manner provided by Article XIII, Section 2 of the NJSIAA Bylaws. **A school should never allow a student to participate in interscholastic sports if it has any doubt whatsoever as to that student's eligibility and until an interpretive ruling has been issued by the responsible NJSIAA**

Directors and/or committees. Otherwise, the school risks imposition of appropriate penalties for the use of an ineligible student, including the forfeiture of games won by that school utilizing such a student.

Since the establishment of the Eligibility Appeals Committee in September 1983 until June 2018, 2342 separate eligibility cases were considered by the Eligibility Appeals Committee and the Eligibility Committee. The Eligibility Committee made 1298 rulings, declaring 596 students eligible, 676 students ineligible and 26 partially eligible. Three hundred ninety-seven (397) of those ineligibility rulings were appealed to the Eligibility Appeals Committee, which affirmed the Eligibility Committee in 210 cases, while reversing that Committee in 185 other cases. These subsequent reversals by the Eligibility Appeals Committee were largely attributable to the fact that additional information was subsequently provided to the Eligibility Appeals Committee.

In addition to the 397 appeals from the Eligibility Committee, the Eligibility Appeals Committee dealt with direct requests for waivers or transfer reviews in 754 other cases. Of the total of the 1151 cases considered by the Eligibility Appeals Committee during this thirty-five-year period (both on appeal and directly), waivers were granted in approximately 477 of the cases.

Waivers

In appropriate cases, the Eligibility Committee or the Eligibility Appeals Committee may grant a waiver from the strict application of any eligibility rules, where the overall objectives of the Association and its member schools will not be undermined. Specifically, waivers of these provisions have been granted in the past where it was shown that a student could not maintain the required academic standards or that he or she had to continue secondary schooling beyond the eighth semester because of circumstances beyond that student's control. By way of illustration, waivers have been granted because a student is a classified pupil who could not carry a full academic load. Waivers of the eight semester rule have been granted where a student has had to repeat a semester or more because he or she was absent from school, due to a medical or psychological condition, the need to be home to care for an ill parent, or when extended schooling is required for a classified student whose Individual Education Program (IEP) is mandated beyond eight semesters.

A student who is involved in substance abuse does not meet the standard of "circumstances beyond his or her control"; this position constitutes an inducement for students not to involve themselves in drugs or other unacceptable behavior.

Member schools must be aware of the fact that waivers are only intended to equalize opportunities among otherwise eligible students who cannot strictly comply with the eligibility rules because of circumstances beyond their control and is not intended to provide such students with an actual advantage over the great majority of students who maintain appropriate academic standards over the normal eight semester secondary program. Accordingly, waivers of these rules are never granted where it would allow a student to participate in more than four seasons in any one sport or where a student has repeated an academic semester or year of secondary school for academic reasons.

It is expected that waivers of the academic, and eight-semester rule, as well as the age rule involving non-contact sports will continue to be granted, where it is determined that a student cannot comply because of circumstances beyond his/her control. Waivers of the age rule will be granted where it is determined that a student cannot comply due to circumstances beyond the student's control. The Eligibility Appeals Committee may consider the waiver request as to the size, agility and skills of the student and the degree to which these issues may fundamentally alter the competition.

Please Note: With the reinstatement as of September 1, 2010, of the 30-day ineligibility period for 9th, 10th, 11th, and 12th grade student-athletes, transferring without a corresponding bona fide change of residence, hardship waivers will not be granted by the NJSIAA, regardless of reason.

Filing a Request for an Eligibility Waiver

The NJSIAA Eligibility Committee meets prior to each Sports Season and at the end of the school year to review eligibility waiver requests. For said request, schools must forward to the NJSIAA Central Office the following documentation, ten days prior to the scheduled meeting:

1. A letter from the Principal requesting a ruling noting any pertinent factors which will aid the Eligibility Committee or the Eligibility Appeals Committee in their review of the case.
2. The NJSIAA Eligibility Waiver Request Form filled in completely. The date of birth must be included along with a record of the student's participation in interscholastic athletics, noting sport and year.
3. A complete transcript of the student's scholastic record from first entrance into the ninth grade to the present with written consent of the parent(s)/guardian(s) to release same.
4. Any relevant documentation which will be helpful to the Committee such as the parent's letter, a hospital/physician's/psychologist's/psychiatrist's/Counselor's report or a Child Study team's recommendation.

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 the Eligibility Appeals Committee. The Principal or assigned representative must be present to provide information for the appeal before the Eligibility Appeals Committee. In addition, all parties are entitled to be represented by Counsel. The Eligibility Appeals Committee will rule on eligibility requests in emergent circumstances provided the Principal requests a case to be considered and so states in writing.

It is strongly recommended that the student-athlete attend such hearings.

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/her authorized representative is not present.

The Eligibility Appeals Committee will make initial eligibility decisions in the interim between Eligibility Committee meetings and in all unsigned Transfer cases.

Enforcement of Eligibility Standards

To assure that member schools carry out the responsibilities of making certain that all Student-Athletes comply with eligibility standards or obtain appropriate waivers where necessary prior to competition, the NJSIAA has imposed a uniform penalty against any school which utilizes an ineligible player. 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, as there is no reasonable method to calculate a student-athletes impact on the outcome of a contest. In cases where the ineligible player participated in an INDIVIDUAL SPORT, then the team will only forfeit the points earned or the events in which that player participated, since the impact of individual players can be calculated with some certainty.

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.

To establish a standard procedure for all forfeitures in the event an ineligible student participates, the following designation will be in effect:

Team Sports		Individual Sports	
Baseball	Ice Hockey	Bowling	Swimming/Diving
Basketball	Lacrosse	Cross Country	Tennis
Field Hockey	Soccer	Fencing	Winter Track
Football	Softball	Golf	Outdoor Track
Ice Hockey	Volleyball	Gymnastics	Wrestling
		Skiing	

Under Article I of the NJSIAA Bylaws, the Association Executive Director has been granted the authority to impose appropriate penalties by the Executive Committee, until or unless that Committee reverses the Executive Director after an appropriate appeal has been filed by the applicable student and/or school in accordance with Article XIII of the Bylaws.

Since all member schools are expected to voluntarily comply with eligibility standards, the penalty for forfeiture will not be mitigated because the member school itself reported that it had violated the eligibility rules. However, where the eligibility violation is reported by another school and it can be shown that the school attended by the ineligible player or the involved coach was aware, or should have been aware, of the eligibility violation, then the Executive Committee may impose additional penalties upon that school and/or the involved coach including, but not limited to, probation, suspension, expulsion and fines.

**These guidelines were originally adopted by the NJSIAA Executive Committee on September 14, 1983:and were thereafter revised annually by the Executive Committee.*

International Student Eligibility Guidelines

DEFINITION OF INTERNATIONAL STUDENT

An International student is defined as a "non-immigrant" student visitor who comes to the United States temporarily to take classes. A non-immigrant is someone who:

- intends to stay in the US temporarily
- does not have US citizenship or legal permanent resident status (a "green card")
- applies for a student visa (either F-1 or J-1) to be allowed entry into the US
- is enrolled in an NJSIAA member school for credit whose parents/guardian(s) have not moved into your school district at time of enrollment

CL If a student does not qualify as an international student, then NJSIAA transfer rules apply.

DEFINITION OF ACCEPTED INTERNATIONAL STUDENT PROGRAM

Any student transferring from an international high school under the sponsorship of a program listed by the Council on Standards for International Educational Travel (CSIET) as having achieved Full, Conditional or Provisional approval. A list of such schools is available on the CSIET website (www.csiet.org).

CONDITIONS OF ELIGIBILITY

ALL INFORMATION SHOULD BE TRANSLATED INTO ENGLISH WHEN POSSIBLE.

1. **An international student is eligible for interscholastic athletic competition only if enrolled in a member school:**
 - a) **under the sponsorship of a program that has achieved Full, Conditional or Provisional approval from CSIET.**
 - b) **that has gone through the CSIET review process and achieved Full, Conditional or Provisional approval.**
2. Student is eligible only if enrolled for credit.
3. Eligibility must be verified and approved by the NJSIAA prior to interscholastic participation.
4. The NJSIAA will not process any eligibility requests until all documentation as listed below have been forwarded to the Central Office.

A copy of:

- o Birth certificate. (DOB on passport is accepted.)
 - o A transcript of scholastic record, starting with the first entry into the 9th grade or 9th year beyond kindergarten signed by the Principal of the international school or certified with the school seal.
 - o Verification of CSIET approval by the international exchange agency or member school.
 - o Description of student's prior participation in any sport for participants (age 14 and above), e.g., level of activity, years of participation, to determine the student's level of play in those countries where "high school" programs are not offered.
 - o Documentation of the living accommodations accorded the student and the amount of contact between the student/parents and the school's coaching or athletic staff (signed by the host parent).
5. Exception to any student eligibility rule shall not be granted if "sufficient evidence" exists to "reasonably believe" that "non-compliance to the rule in question was motivated by the student's, a community person's, or school's effort to gain a desired athletic advantage or to intentionally circumvent a rule."
 6. A completed International Student Request for Eligibility Application. This form must be completed by the member school NOT BY THE STUDENT. It is the responsibility of the International Student placement agency (or the approved school) to secure the International school Principal's signature on transcripts and record of interscholastic athletic participation.
 7. Direct Placement:

J-1: A Direct Placement is one in which either the student or the sending organization in the foreign country is party to an arrangement with any other party, including school personnel, for the student to attend a particular school or live with a particular host family.

F-1: The term Direct Placement, in the context of the original J-1 definition, does not apply because federal regulation requires all international students to “apply and be accepted by an SEVP approved school” prior to applying for the F-1 Visa. Therefore, in the F-1 context, CSIET programs provide transparency and report to the NFHS any F-1 student for whom participation in interscholastic varsity athletics was a known motivating factor at the time of application.

Such direct placement must be reported to the particular school and the National Federation of State High School Associations prior to the first day of classes. It is recommended that no member of the athletic department involve themselves in the international exchange process. Contact with the student should not begin until the student officially enrolls.

8. All International Student Applications will be reviewed by the NJSIAA staff to assure compliance with eligibility requirements. Prospective student-athletes are ineligible until their application has been reviewed. To allow time for such review, completed applications should be submitted immediately upon the International student’s entry into the member school, or notification of interest to participate in interscholastic athletics. If the NJSIAA staff determines that there is sufficient evidence to reasonably believe that the transfer was motivated by the desire to gain an athletic advantage or to intentionally circumvent a rule, then the International student will be ineligible until a hearing is held by the Eligibility Appeals Committee (EAC) within thirty (30) days and an oral decision reached on that date, which shall be expressed more fully in writing by the EAC within ten days. Until such hearing is concluded, the International student shall be ineligible.

ACCEPTED PROGRAMS

An accepted program is defined as a program listed by the Council on Standards for International Educational Travel (CSIET) as having achieved Full, Conditional or Provisional approval. A list of such schools is available on the CSIET website (www.csiet.org).

INTERNATIONAL STUDENTS TRANSFERRING TO A MEMBER SCHOOL INVOLVING RECRUITMENT OR TO SEEK AN ATHLETIC ADVANTAGE WILL BE DECLARED INELIGIBLE FOR INTERSCHOLASTIC ATHLETICS AND SCHOOLS DELIBERATELY PARTICIPATING IN SUCH ACTIVITIES WILL BE SUBJECT TO PENALTY BY THE EXECUTIVE COMMITTEE.

THE FULL TEXT OF THE ADOPTED POLICY AND CRITERIA REGARDING INTERNATIONAL EDUCATIONAL TRAVEL PROGRAMS IS AS FOLLOWS:

PURPOSE OF INTERNATIONAL EDUCATIONAL TRAVEL

An international educational travel program’s primary purpose is to improve the international student’s knowledge of American culture and language through active participation in family, school and community life.

SELECTION

Approved programs/schools must assume responsibility for selection of students to participate, limited to secondary school students who have not graduated from an international secondary school with comparable requirements of a secondary school in the US. Sufficient knowledge of English to enable the student to function in an English-speaking environment shall be a part of the screening criteria.

NOTE: Students who have graduated from an international secondary school are ineligible until they secure verification that the school’s graduation requirements are not comparable to a secondary high school in New Jersey.

One such agency for verification is:

World Education Service, Inc.
Bowling Green Station
PO Box 5087
New York, NY 10274-5087
www.wes.org
Phone: 212-966-6311

AGREEMENTS

Agencies/schools are responsible for assuring the terms are fully understood by students and parents and hosts. They are responsible to provide written provisions to the host school (if applicable) and host family and clearly specify total costs.

ORIENTATION

For student participants an orientation program, both pre-departure and upon arrival in the United States, must be conducted, written copies of the program criteria provided and notification that eligibility to participate in activities must be met prior to participation.

PRIOR TO 9TH GRADE

Registration with the NJSIAA of an international-born student is not required if that student has begun his/her schooling in a member school district below the 9th grade level.

INSURANCE

The program sponsor (either agency or school) is responsible for insuring every student selected to participate with at least the minimum coverage required by the criteria. Such information shall be provided to the host school including the amount and carrier of insurance.

GEOGRAPHICAL DISTRIBUTION

Sponsors must plan to ensure students attending under a J1 visa are not clustered. No more than four (4) International exchange students placed by a sponsor will be eligible for participation in the interscholastic athletic program of a member school. No more than two (2) International exchange students may represent a high school in the same sport.

No placement may occur without first notifying and obtaining consent of the high school Principal. Approval for admission must be obtained.

PLACEMENT

Placement should be arranged at least five weeks in advance of student's departure from the student's native country and must be prior to arrival in the United States. Placement shall be made by the sponsors at random and without requests in the name of a specific student being made by the student or representative of the school for the school.

The United States host family placement must be made before the arrival of the student in the United States. The host family shall have the right of refusal for hosting a named student, but shall not be offered choices nor be allowed to specify.

CL To be eligible for interscholastic competition, a student may not reside with the coach of any sport, or any other member of the athletic staff, paid or volunteer, at that member school.

SUPERVISION

Sponsors must assume the responsibility for resolving problems, including, if necessary, the changing of host families and the early return home of the exchange students because of personal or family difficulties. Contacts with students and their host families shall be made periodically throughout their exchange visit. The host family shall be provided with contact information for both local and national officials who can be contacted at any time in case of an emergency or other problems.

FINANCIAL RESPONSIBILITY

Exchange (J1) programs must guarantee return transportation for students, demonstrated by purchase of round-trip tickets on regularly scheduled flights or chartered flights, or combination of the two.

These J1 programs are required to make available for review by the Department of State an audited financial statement of their operations.

SUSPENSION OR REVOCATION OF EXCHANGE VISITOR PROGRAM DESIGNATION

Programs/schools who are found to be in violation of CSIET standards are subject to having their approval suspended or revoked by CSIET. If approval is suspended or revoked, their students will not be eligible for interscholastic competition as administered by the NJSIAA.

NJSIAA ELIGIBILITY

A. For the purpose of eligibility in NJSIAA member schools, international students sponsored by a program that is not listed on the CSIET website as achieving Full, Conditional or Provisional approval will not be eligible for interscholastic athletic competition.

Additionally, if a member school has gone through the CSIET review process and achieved Full, Conditional or Provisional approval, their international students are eligible for interscholastic competition regardless of the CSIET status of the sponsoring program.

B. Any program listed on the CSIET website as achieving Full, Conditional or Provisional approval may have the transfer rule waived by application to the NJSIAA Executive Director via the NJSIAA provided "International Students Request for Eligibility" form.

C. The NJSIAA Executive Committee has defined an Accepted International Program as one which has achieved Full, Conditional or Provisional approval by CSIET. (Council on Standards for International Educational Travel). THE LATEST LIST OF ACCEPTED INTERNATIONAL EXCHANGE PROGRAMS/SCHOOLS ARE AVAILABLE AT THE CSIET WEBSITE. (www.csiet.org) The NJSIAA Executive Committee reserves the right to remove from this list, any program that permits or allows students, schools or school representatives to select, specify or influence the program sponsor's assignment or selection of International exchange students and/or a program that does not meet the criteria herein.

Programs/Schools wishing to be included on the CSIET Advisory List should contact:

Council on Standards for International Educational Travel

212 South Henry Street
Alexandria, VA 22314
Phone: 703-739-9050 Fax: 703.739.9035
E-mail: mailbox@csiet.org
Website: www.csiet.org

WHO MUST APPLY FOR INTERSCHOLASTIC ELIGIBILITY?

All International students who are enrolled or to be enrolled in an NJSIAA member school for the school year or during the school year whose parents/guardian have not moved into your school district at time of enrollment that wish to participate in interscholastic athletics.

Depending upon your local policies, students may participate in practice or pre-season scrimmages, but may not participate interscholastically until eligibility is established.

The establishment of interscholastic eligibility is for those students who participate in games between/with other schools in those programs under NJSIAA jurisdiction. Local policies determine participation eligibility in all other activities.

WHO VERIFIES THE STUDENT MEETS ALL OTHER ELIGIBILITY STANDARDS?

The school Principal is responsible to verify and declare the student eligible for interscholastic competition by keeping on file for each sport an eligibility list of students meeting all NJSIAA requirements.

WHO COMPLETES THE REQUEST FOR ELIGIBILITY FORM?

Whoever is authorized by the Principal to do so; the Principal's signature verifies the information accuracy and that the school eligibility standards have also been met.

TO WHOM IS THE REQUEST SUBMITTED?

TO: NJSIAA
1161 Route 130 North, P.O. Box 487
Robbinsville, New Jersey 08691

HOW WILL THE REQUEST BE PROCESSED?

The Executive Director or a designee will approve or disapprove all requests. If disapproved, the member school will be requested to provide additional information or in some cases may be requested to attend a hearing of the matter at which the Principal, the student, and all interested parties must be present.

The NJSIAA requests the following documentation to process any eligibility request:

A copy of:

- o Birth certificate. (DOB on passport is accepted).
- o A transcript of scholastic record, starting with the first entry into the 9th grade or 9th year beyond kindergarten signed by the Principal of the international school or certified with the school seal.
- o Verification of CSIET approval by the international exchange agency or member school.
- o Description of student's prior participation in any sport for participants (age 14 and above), e.g., level of activity, years of participation, to determine the student's level of play in those countries where "high school" programs are not offered.
- o Documentation of the living accommodations accorded the student and the amount of contact between the student/parents and the school's coaching or athletic staff (signed by the host parent).

FREQUENTLY ASKED QUESTIONS

Eligibility Standards

Q. What is the fundamental rule as it pertains to athletic participation?

A. A student plays the sport at the school in which the student athlete is enrolled (with exceptions).

Q. May a student be enrolled in a private/non-public school that does not offer that sport and play that sport at his/her residential public high school?

A. No, private/non-public schools are not part of the exceptions mentioned above.

Q. May a home-schooled student athlete play at his/her residential public school?

A. Only if the local public school board of education has a policy that allows such.

Q. May a non-public school allow home schooled student(s) to play for their school?

A. No, the Department of Education law only pertains to public schools and board of educations.

Q. When does a student athlete become a part of the sport program for a high school?

A. When a student is enrolled as a freshman/9th grader, that student is part of that high school's athletic program, and board approved coaches may not have contact/coach those freshman during the out of season time period.

Q. When does a student athlete become ineligible according to the age rule?

A. An athlete becomes ineligible for high school athletics if he/she attains the age of nineteen (19) prior to September 1, regardless of the birthday being August 31.

Q. When does a student's athletic eligibility "clock" start ticking?

A. A student's athletic eligibility "clock" starts ticking when he/she enters 9th grade and the clock is continuous.

Q. What defines high school athletic participation?

A. Participation at any level, freshman, junior varsity or varsity.

Q. May an 8th grader that is enrolled in a NJ grammar or middle school play on a high school level team?

A. By rule, no, but there is an exception. A waiver may be granted upon request to NJSIAA for an 8th grader who is enrolled in 8th grade, is otherwise academically eligible, to participate on the JV 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.

Q. How many credits are needed to be eligible for the fall and winter sport seasons?

A. Except for freshman, 30 credits are needed at the end of the previous school year to be eligible for the fall and winter sport seasons. Once a student is eligible for a season (winter season), he/she is eligible for the entire season.

Q. How many credits are needed to be eligible for the spring season?

A. 15 credits are needed by the end of the 1st semester (on January 31).

Q. May a school require more credits for graduation than 120 credits?

A. Yes, a school may require more credits for graduation, or they may require a certain Grade Point Index, for athletic participation, but a school may not require less than 120 for graduation or 15/30 credits for NJSIAA participation rules and regulations.

Q. Are there any special considerations given to seniors as it pertains to credits, accelerated programs, etc.?
A. Review Article V, Section 4 E Credits, CL 3 and CL 4 provides for the special circumstances that allows for seniors to retain athletic eligibility provided that they meet certain conditions.

Q. If a student athlete is ineligible for the beginning of the winter season, can they become eligible for the remainder of the winter season and how?

A. They can become eligible by receiving/acquiring 15 credits for the 1st semester (1st and 2nd marking periods traditional model) and then are eligible for the remainder of the winter season.

Q. If a student athlete is eligible at the beginning of the winter season, but does not attain 15 credits for the 1st semester, does that student athlete lose his/her eligibility for the rest of the winter season?

A. No, a student eligible to represent his/her school in a Winter Sport may continue to do so until the end of the season.

Q. Are classified/handicapped students (students with an I.E.P.) waived from the 30/15 credit rule?

A. If, and only if, their respective I.E.P., does not require that student to reach the credit thresholds that NJSIAA requires for regular education students.

Q. What are the requirements then for a classified student?

A. They must have an IEP, parent(s) or guardian(s) must give consent for such competitive experience, the CST 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.

Q. Are 504/ADA students waived also?

A. No, courses cannot be waived for ADA or 504 students.

Q. When does an I.E.P. student's athletic eligibility clock start ticking?

A. When the classified student first plays the sport (plays means competes in an interscholastic regular season or post season contest). Practice and/or pre-season scrimmages do not count.

Q. Where may a classified student compete when #1) the Board of Education/DCC&P/the Courts place his/her in an out of district placement, or #2) when the parent(s)/guardian(s) place him/her in out of district placement?

A. For #1, the student 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;

A. For #2 a classified 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.

Q. What is the definition of "entrance" as it pertains to enrollment?

A. Entrance means registration plus actual attendance at a school.

Q. What is the definition of an Initial Enrollment?

A. 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.

Q. Would you please explain the provisions as it pertains to Vo-Tech Schools, Public Academies, Charter Schools, Shared- time Vo-Tech Schools, etc.?

A. Full time Vo-Tech/Public Academy/Charter Schools are governed under this provision: If a Vo-Tech/Public Academy/Charter School does not offer the particular sport in which one of its full-time students wishes to participate, that student may participate in the sport at his/her school of residence upon agreement of both principals, regardless of the number of sports programs offered at the V-T/PA/Charter school.

Q. What about Vo-Tech/Public Academies when the student is a Shared-Time student with the residential public high school?

A. If a student is carried on both Official Registers, the student may choose the school in which he/she wishes to participate in all sports on a full-year basis.

Q. Are there any special or somewhat strange situations that might exist with the above two provisions?

A. Yes, suppose a student is a shared-time student, a three (3) sport athlete, who chooses to play all of the sports at the Vo-Tech/Public Academy. This is his/her choice and must play all sports there. However, the winter sport that he/she wishes to play is not offered by the V-T/PA, so by rule, he/she can play at the residential public school, as the residential school offers that sport. For the spring sport, he/she must play at the V-T/PA because that was the chosen school of play at the beginning of the school year.

Q. What about Choice Schools?

A. Students that enrolled in a Choice School program after Sept. 1, 2013 are subject to the transfer restrictions contained in Article V, Section 4.K (1) and (2).

Q. May seventh or eighth graders practice with a high school level team, freshman, jv or varsity?

A. No, not unless the 6th, 7th or 8th grade (turn 16 before September 1 of freshman year) waiver is granted. Nor may these students "suit up" with these high school level teams for scrimmages or games involving grades (9) through (12).

Q. How many semesters of athletic eligibility are student athletes permitted by rule?

A. No student shall be eligible for high school athletics after the expiration of eight (8) 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. (See exception for classified students).

Q. Is this rule the same for out of state student athletes, who may have played on high school level team(s), though they may have been in 6th, 7th or 8th grade, and have moved from their out of state residence into New Jersey and have transferred into a NJSIAA member school?

A. See Article V, Section 4 J, #4: Semesters of Eligibility.

Q. What are the basic components of the NJSIAA transfer rule?

A:

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 proven and provided that all other eligibility requirements are satisfied.

2. A bona fide change of residence is defined as when a parent/guardian moves with the student from one public high school district to another public high school district.

3. The NJSIAA transfer form must be executed in its entirety by both the former and present school and both schools must affirm that the transfer is a bona fide change of residence and that there was no athletic recruitment or a transfer for athletic advantage. The transfer form cannot be delayed or not executed for failure to pay tuition payments, fines of any kind, failure to return property, books, etc. The transfer form must be submitted to the NJSIAA Central office upon competition. (online submission or actual transfer form).
4. Residential placement by the Division of Child Protection and Permanency or by the Courts is treated as a change of residence by the parents/guardians except in cases of involving juvenile or criminal court proceedings.
5. A parental/guardian change of custody to another person, relative, although notarized and accepted by the public school district as a legitimate residence for educational purposes IS NOT a bona fide change of residence per NJSIAA definition as stated in #2 above.
6. In cases where a student 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 provide the parents do not reside in the same public high school district. However, subsequent retransfers to the previously attended school may be considered a transfer for athletic advantage, which may result in a loss of eligibility.
7. When there is a transfer without a bona fide change of residence and there was varsity participation in that sport, or any sport, the prior year, the student athlete shall be ineligible to participate for a period of thirty (30) calendar days or one half of the maximum number of games allowed in that sport by NJSIAA rules (the ineligibility period) from the beginning of the regular season schedule, whichever is less. For those sports that have regular season options for the number of contest that may be played by a school, the greatest of those options is the maximum number that is used in determining the sit out time period so explained above. (EG: Basketball has three options, the greatest is 26 games – 13 is half, so the sit out time would be 30 days or the first 13 regular season games, whichever is less).
8. Varsity Participation is defined as playing in one play of a regular season or post season interscholastic event.
9. While a student athlete is sitting out, 1) NJSIAA rules allows for that student to be able to practice and/or pre-season scrimmage if that specific school allows for same, 2) the student athlete that is sitting out may not participate at any level of competition, that includes freshman, junior varsity or varsity competition.
10. In every sport rule there is a middle of the season cutoff date that states: Transfer on or after half of the season (and then that date is given) are not eligible for post-season play (see Article V, Section 4.K. (2) c).
11. There are no appeals of the 30 day/half of the maximum number of games rule, regardless of reason.
12. When a sport does not have a maximum number of games by rule, the interpretation is: The sit out is 30 days or half of the regular season scheduled events prior to the first regular season event, whichever comes first. EG: Cross Country – no maximum number – School A has 12 regular season events scheduled prior to opening event – Student would sit 30 days or first 6 events, whichever comes first. The sit out begins with the first contest played/conducted. The NJSIAA staff will assist the member school with such determinations.

13. If the maximum number of games is an uneven number so that when divided by 2, the number is a half or .5 number, NJSIAA rule is to round down to make it a whole number (EG: Baseball/Softball – maximum number of regular season contests allowed – 25 and half would be 12.5– round down to 12). Sit out 12 games, play game 13. (only count actual games played).

FREQUENTLY ASKED QUESTIONS

Waivers: Age, Credit, Semesters, Other

Q. Are there any rules/bylaws that NJSIAA allows a waiver to be granted?

A. Yes, the NJSIAA Constitution and Bylaws allows a school/parent to submit an Eligibility Waiver Request Form for age, credit or semesters rule.

Q. How does that process work?

A. The Eligibility Waiver Request Form must be downloaded from the NJSIAA website, www.njsiaa.org, click on Resources, click on Student Eligibility Forms, and then click on Eligibility Waiver Request Form. This form needs to be filled out in its entirety and along with any/all written documentation to support the waiver request must be sent into NJSIAA prior to the spot season(s) in which the waiver is being asked.

Q. When should the Eligibility Waiver Request Form and documentation be submitted?

A. The form and documentation must be provided no later than ten (10) days from the scheduled Eligibility Committee Meeting. Dates provided on the NJSIAA website along with instructions for processing.

Q. Are there parameters around the request for a waiver?

A. Yes. The guiding parameter for granting a waiver for our age, credit and/or semesters rule is that circumstances beyond the student's control is why he/she has aged out, was not able to meet the credit standards for fall, winter and spring sports, or will not be able to attain 4 consecutive years of athletic eligibility/8 consecutive semesters.

Q. What kind of "circumstances beyond a student's control" meets the criteria?

A. Two examples to serve only as insight.

1) a student is in a serious car crash and due to the injuries sustained is not able to compete and/or go to school/receive homebound instruction. Due to this situation, he/she was not able to get the 15 credits needed by the end of the first semester to be eligible for a spring sport.

2) the student has a medical condition that has prevented the student athlete from competing and attending school (such as above). This has caused the student athlete to "age out" according to NJSIAA age rule. However, an injury per se, which causes a student athlete to miss a sport seasons is not necessarily "circumstances beyond the student's control." Injuries are part of sports and if this were allowed, we would be allowing "red shirting," which is what the NCAA allows. The above two examples are most common but not the only situations that a waiver might be granted.

Q. Who reviews and renders decisions relative to these waiver requests?

A. NJSIAA has two committee structure or process that handles these requests. The Eligibility Committee, a panel consisting of Athletic Directors, Principals and Superintendents, reads the submissions and renders a determination to grant or deny the waiver request(s). The NJSIAA liaison to that committee serves as the facilitator and will notify the school of the committee decision. If the EC grants the waiver, the student athlete is eligible immediately. If the waiver is denied, the school/parent(s)/guardian(s) may request an appeal. If so, the matter is turned over to the Eligibility Appeals Committee, a 14-person panel consisting

of Executive Committee members of NJSIAA. Members of the EAC Committee will then meet and conduct a hearing, with NJSIAA counsel acting as the hearing officer.

Q. When does this happen?

A. The Eligibility Committee meets at NJSIAA to review the submissions for fall sport's waivers. If denied, the EAC will conduct hearings early in September to hear any appeals so that any cases overturned by the EAC, the student athlete will be deemed eligible with most of the season remaining to be played. This process is then played out in two-month periods – October EC reads the cases for winter sports; November EAC handles appeals. The most important piece of this whole “puzzle” is the schools identifying student athletes who are in jeopardy of being ineligible for age, credits, and/or semester's rules and then submitting the documentation early enough in the cycle that the case can be scheduled accordingly.

Q. Are there any other factors other than “circumstances beyond a student's control” that the EC considers?

A. Yes. The Eligibility Committee will look at the sport and if it is a contact sport they will take that into consideration when an age or semesters rule waiver is being sought. They will also look at the level of play of that student athlete, meaning how many years of varsity sports has the student athlete played. The committee has even searched through the social media outlets to ascertain if the student athlete is an average player or a “game changer.”

Q. You spoke of two cases that tend to be granted. Are there others?

A. One universal situation comes to mind (but even then, it is not an “always”). We often get cases that involve a foreign student that 1) due to the foreign country educational system starting a year behind/late than US educational system, and then 2) the school system here retains the student a year, generally due to the language difficulty, or has the student audit classes. This usually results in an age waiver request (but it could also show up as a semesters/credit case). Sometimes these are granted (when there is more than sufficient documentation to support a grant of the waiver); other times they are not.

Q. Where are the dates located for the Eligibility Committee and the Eligibility Appeals Committee meetings?

A. They are on Calendar of Events on the NJSIAA website and located under the Resources Tab/Student Eligibility.

Q. Are there any other waivers that NJSIAA grants without going through this process?

A. Yes. By rule, or by clarification,

- 1) Article V, Section 4E Credits, CL 4, Seniors passing at end of 3rd marking period
- 2) Article V, Section 4E Credits, CL 5, Ineligible spring sports, eligible May 1 (grades 9, 10, 11)
- 3) Article V, Section 4E Credits, CL 5/CL 4, Out of State, Foreign Country
- 4) Article V, Section 4C Age, 6th, 7th, 8th grader who will be 16 prior to 9th grade, Principal Letter required
- 5) Article V, Section 4F Handicapped/Classified Students, Principal Letter required.

NJSIAA understands the difficult job it is when it comes to identifying these student athletes who may be eligible for a possible waiver and yet they do not appear on your “radar screen.” Perhaps it is because Guidance is not aware of our rules/policies as they pertain to age, credits, and semesters. May be the student athlete has not identified himself/herself as a student athlete. Whatever the case may be, please call and ask if it is a possible waiver situation. The key is the request must come in well in advance of the monthly meeting of the Eligibility Committee meeting so that it can be scheduled on the agenda and then scheduled for EAC if needed. The decision to appeal the eligibility ruling should be made by the school and/or parents/guardians. Please consult with the NJSIAA Assistant Director with eligibility oversight.

FREQUENTLY ASKED QUESTIONS

Out-of-Season, Summer Recess, and Common Questions for Clarification

Q: What is the definition of a student-athlete?

A: A student-athlete is a properly enrolled student at a member school who has attained team status in a particular sport, i.e., sophomore, junior varsity, and varsity. Incoming freshman are subject to all out-of-season regulations in all sports in spite of not having played that sport yet. All team members must meet all eligibility standards for participation and therefore be identified as such. Ineligibility Lists must be kept on file in the Principal's Office (designated file).

Q: What does team status mean?

A: Team status is defined as having been on the current/immediate preceding roster of a team. 9th graders with the intent of participating in a sport have attained team status relative to the out of season time frame.

Q: What is the out-of-season period?

A: The out-of-season time frame shall be from the end of the season as defined in the Program Regulations, Section 10 until the next official starting practice date for that sport, excluding the Summer Recess.

Q: When does the Summer Recess period begin?

A: The Summer Recess period begins the day after the last **scheduled** date for NJSIAA championships in the Spring Sport Season until September 1st.

Q: What happens to the start date if the last scheduled date/event is rained out or postponed for any other reason?

A: The Summer Recess period is not affected at the start of it, meaning the Sunday after the Saturday that is the last scheduled date for NJSIAA championships in the Spring Sport Season, remains the start of the Summer Recess.

Q: May team status student athletes participate in intramurals?

A: Yes, they are permitted to participate in all intramural activities during the out-of-season time period, except those in which they have attained team status. See Participation Chart (Out-of-Season)

Q: Are there qualifications/parameters to weight-lifting programs?

A: Yes, weight-lifting and other conditioning programs during the out-of-season period are permissible **when not limited to Student-Athletes.**

Q: May coaches supervise weight-lifting/intramural programs?

A: Yes, coaches may supervise (but no coaching) or serve as directors, including officiating of intramurals, recreational, club, camp or open-gym programs when the school district's Student Athletes are not involved in **their specific phase of the program during the out-of-season period. Open-Gym Programs involving a single sport in which only Student-Athletes are involved are interpreted as an attempt to circumvent the out-of-season rules.**

Q: Are there any other restrictions to the open gym regulations?

A: Yes, the open gym activities are to be recreational in nature; therefore, practice routines, such as, softball/baseball pitching, catching and batting, football place-kicking, golfing/putting, etc. are always interpreted as an attempt to circumvent the out-of-season rule.

Q: What about "Rec" and/or "Club" programs?

A: NJSIAA does not have any jurisdiction over these programs conducted by outside organizations even though school facilities are used; however, school uniforms and other individually issued equipment may not be used by Student-Athletes. Coaches may not be involved when the school district's Student Athletes are involved in that specific phase of the program during the out-of-season period. Coaches may be spectators.

Q: As a basketball coach, can I go and watch my team at a Fall "Rec" league game?

A: By rule yes, (as stated above) but you may not have any contact with/or coach in anyway your players. That includes hand signals, "keeping your elbow tucked in when shooting" gestures, saying "Hello" to a player(s), etc. There is very little to be gained by even being a spectator but there is a lot to lose if the out-of-season rules and regulations are violated. It is greatly emphasized that parental contact be non-existent if a coach is a spectator.

Q: What are the rules and regulations when it comes to camps and/or clinics?

A: NJSIAA does not restrict an individual's choice to attend any participatory camps or clinics; however, schools, school organizations, or school-related groups such as Booster Clubs may not assist the Student-Athletes' attendance at any camp or clinic during the out-of-season period; this includes providing uniforms, equipment, and funds related to the camp or clinic, including transportation; and coaches may not instruct their Student-Athletes. Coaches may be spectators.

Q: Does the above pertain to Student-Athletes when they are just observers at a camp or clinic?

A: No, there are no limitations or restrictions on member schools or their Student-Athletes at any time when attendance at non-school camps or clinics is of a non-participatory nature.

Q: What, if any, limitations does a coach have if he/she attends a participatory camp or clinic?

A: Coaches may attend a participatory camp, clinic or competition merely as spectators however they may not be involved in any way with their school's athletes, including being a clinician, when their school's Student-Athletes attend that camp or clinic regardless of the format or the separation of stations at a clinic.

Q: Would you explain the above in more detail?

A: Yes, the above means that a coach cannot be a clinician at a clinic when his/her player(s) are participating in that clinic even though the coach, when his/her players come to his "station" in the rotation, switches with another clinician so that he/she is compliant with NJSIAA out-of-season rules and regulations. A coach working at a clinic while his/her student-athletes are participating is a violation.

Q: Are there any more restrictions?

A: Yes, and it is a major restriction. During the summer recess a coach or student-athlete may not be sponsored or supported by a school or school-related group (ex: booster club) when team-interscholastic or individual competition takes place as part of the activity in camps, clinics, recreation programs, independent play or tournaments. School names may not be used on uniforms as this participation is independent and not associated with the high school program. (High school name or mascots is a violation).

Q: May a Student-Athlete compete on two separate sport teams in the same season?

A: Yes and No:

Yes, if one of the two sports is a non-strenuous sport as defined by NJSIAA. Golf and Bowling are the two non-strenuous sports as defined by the NJSIAA rules and regulations. Therefore, a Student-Athlete may play baseball and golf in the spring season or during the winter season swim and bowl.

No, a Student-Athlete may not play football and soccer. A player on an interscholastic athletic team shall participate in only one strenuous high school sport at a time during the regular high school sports season. A player may drop one high school sport to participate in another, but he/she may not return to a sport from which he/she withdrew as per NJSIAA rules and regulations.

Q: Is there a list of strenuous sports?

A: Yes, Program Regulations, Section 2: Strenuous Sports within the NJSIAA Constitution, Bylaws, Rules and Regulations. CL 2: Bowling and Golf are not considered strenuous sports.

Q: May a student athlete who has finished his/her season in one sport play another sport in that same season?

A: No, a student athlete concluding a season in one sport will not be able to participate in another sport regardless of the fact that the athlete would be able to meet the six (6) day practice rule.

Q: When do the fall, winter, and spring sport seasons begin and end?

A: Please see Program Regulations, Section 5, Sorts Seasons Dates and Section 10, End of Season of the NJSIAA Constitution, By Laws, Rules and Regulations for the answer to this question. Not all sports, even played in the same season, have the identical start and end dates.

Q: What is the basic rule as it pertains to practices/scrimmages/games-meets?

A: A student shall not be permitted to participate in a scrimmage or game (interschool) in any strenuous sport until he/she has completed six (6) days of practice in that sport (days of 24 hours, not sessions) and one day of rest within a seven (7) day time frame. Practices during the Summer Recess prior to the official opening of the Sports Season cannot be counted to fulfill this requirement. Also, please consult the NATA Pre-Season Acclimatization Requirements. (Mandatory as per NJSIAA).

Q: What about a student athlete who plays, let's say football, and his team plays in the finals of the State Football Championships, but also plays basketball. Does he need 6 practices?

A: No, he does not need to the six (6) days of practice in basketball, if he becomes a participating member of the basketball team within three (3) practice days. (within 3 days from the end of football to the beginning of participation in basketball)

Q: What is the definition of a "practice?"

A: A practice is defined as a session where a team is assembled and involved in physical activity to enhance the participant's physical condition. Practices of any kind for individuals, partial or entire teams, on days when the team is involved in interscholastic scrimmages or games-meets will not count toward satisfying the six (6) day practice rule.

Q: Are ineligible student-athletes allowed to practice?

A: By NJSIAA rules, yes, the ineligible student-athlete is permitted to practice and pre-season scrimmage, if the school where the student athlete is attending allows the same. However, an ineligible student may not participate in an interscholastic regular season contest, post season contest, or an interscholastic scrimmage during the regular season or post season if that sport allows such.

Q: Is there a limit to how many schools can compete in a scrimmage at one location?

A: Yes, no more than four (4) schools shall be permitted to take part in a joint interschool scrimmage.

Q: May one team or individuals of one team practice with another school?

A: No. If so, it will be designated as a scrimmage unless extraordinary circumstance has been approved by the NJSIAA.

Q: Are county, conference, invitational and "other" tournaments considered regular season contests?

A: Yes, they are and they are counted toward the total number of games in which a school can participate during a sports season.

Q: Are there any sports that do not use the NFHS rules as the governing body in that sport?

A: Yes,

Bowling – US Bowling Congress

Fencing – United States Fencing Association

Golf – USGA

Skiing – NCAA

Tennis – USTA.

Q: Is there any rule about “Captain’s Practices?”

A: During the Out-of-Season time period, practice is not permitted under the direction of an instructor, coach, or student leaders. Any subterfuge or “sharp practice” shall be construed as a violation of this rule. A “sharp practice” is defined as “sneaky, something that may be technically legal but still is not right.” Also, some other definitions of a sharp practice: 1) a way of behaving that is dishonest but not illegal, 2) actions using tricky and/or dishonorable means barely within the law, 3) a behavior that is barely less than fraud. It can be cunningness, misrepresentation or a trick.

Q: Are there any rules and regulations as it pertains to same sex sports, such as tennis, that are played in different sport seasons and coached by different coaches?

A: Yes,

Student Athletes: when the same sport for Boys and Girls is conducted in different sport seasons, a Student-Athlete in that sport may not serve as manager of the team of the opposite sex and will be considered a violation of the out-of-season rule. However, NJSIAA allows for above Boy/Girls same sport participants to be stat or scorekeepers for pre-season and regular/post season matches only. No instruction permitted.

Coaches may not exchange supervisory and/or coaching duties in their sport to circumvent the out-of-season rule. Example, it would be a violation for the boys basketball coach to work with the girls basketball players and the girls basketball coach to work with the boys basketball players during the out-of-season time frame.

Q: From what point may a coach not be involved with a school’s Student-Athlete?

A: From the day the coach is appointed to coach a sport until the start of practice for that sport the following year, except the summer recess period.

In addition, there is period of one year prior to the hiring or appointing of a coach, whereby the coach may not have been involved with student-athletes in that specific sport within that school’s program during the out-of-season time frame. This applies to 9th grade students as well as team members. The out-of-season rule forbids a coach from being hired if that person has had contact with those Student-Athletes during the out-of-season time frame.

Q: When does a “week” start?

A: A week is defined as from 12:01 AM Sunday to Saturday midnight.

Q: May a member schools play against “Club Teams?”

A: No, they may not.

Q: Can a school send a specific sport team to an event or tournament at one location and send another school team of the same sport and gender to another separate location and event?

A: No, a school is permitted to sponsor only one team at the varsity level. A and B teams at the varsity level are not permitted in any sports.

Q: Where can I find the NJSIAA Disqualification Rules?

A: Rules and Regulations, Specific Sport Regulations #4 Disqualification and the many clarifications that follow within the NJSIAA Constitution, By Laws, Rules and Regulations.

Q: When may a student athlete practice with a “new school” one where the student athlete is considering transferring to?

A: When that student has officially withdrawn from the previous school, (should have some documentation showing withdrawal), and has officially enrolled at the present school. Coaches should enforce this policy strictly. There is a major liability issue if a student is injured and is not a student enrolled in that school.