

student-athletes and heat index alone is not a strong enough indicator to prevent this. Unlike New Jersey, not all states require using WBGT (Only four states require WBGT, while 10 states have heat participation policies based on WBGT readings). The proposal very well received by the Foundation Board and the NFHS SMAC so New Jersey was granted initial approval for \$450,000 in year one, more to follow in future years. Ms. Maguire is now working to connect certain states in need of updating their heat participation policy with the Korey Stringer Institute since they helped craft New Jersey's current policy. NJ is at the forefront of this issue.

NJSIAA Amateur Rules Update – NIL Proposal – First Reading – Voice Vote – There are no proposed changes from the proposal presented last month, except a target date of 1/1/2022 was added. Colleen reminded the committee that in June 2021 the NCAA pulled back all restrictions on the use of Name, Image and Likeness and in its final framework removed the prohibition on college eligibility. The NJ Fair Play Act only addresses college student-athletes and restricting a college from prohibiting a student-athlete's ability to profit off their NIL. There are no NJ state laws that address the high school level, so NJSIAA crafted a proposal with input from NCAA attorneys, Rutgers athletic staff, the Big East Commissioner, and peers in other states. The final proposal received positive feedback from across Section 1 and Section 4 and NFHS staff. The goal is to get out of the way of a student profiting off their NIL in an individual capacity. Ms. Maguire does not think this will be a large-scale practice. A motion was made by Steve Shohfi, seconded by Mary Liz Ivins, to approve the new NJSIAA Amateur Rules Update as outlined below.

PROPOSED BYLAW AMENDMENT

Bylaws, Article V [Eligibility of Athletes] Section 2 [Amateur-Athlete]

Amateur-Athlete – An amateur-athlete is one who participates in athletics solely for the physical, mental, social, and educational benefits derived from such participation.

The following is a list of principles student-athletes must abide by to retain their amateur status, and thus, their NJSIAA eligibility.

- A. A student-athlete may not participate in any athletic activity under an assumed name.
- B. Professional Athletics. A student-athlete may participate as an individual, or as a member of a team against professional athletes, or as a member of a team on which there are some professionals who are not currently under contract with a professional team and are not receiving money for their participation. However, a student-athlete may not (1) sign a contract to play professional athletics (whether for a money consideration or not); or (2) receive a salary or any other form of financial assistance from a professional sports organization.
- C. Outside Work. Student-athletes are permitted to receive payments for coaching and providing athletic instruction, however student-athletes may not play on the teams that they coach. The student-athlete's compensation must be commensurate with the work performed.
- D. Name, Image and Likeness. A student-athlete may profit off of the use of their own name, image and likeness (NIL). Such permissible activities include commercial endorsements, promotional activities, social media presence, product or service advertisements, and non-fungible tokens (NFTs).

No one employed by a member school, including coaches and administrators, may be involved with a student-athlete's use of their NIL.

Student-athletes are prohibited from making any reference to a member school or the NJSIAA when engaging in any NIL activity. Student-athletes may not endorse or promote any third-party

entities, goods or services during team activities. Student-athletes may not wear the apparel or display the logo, insignia, or identifying mark of an NIL partner during any team activities.

Student-athletes are prohibited from engaging in any NIL activities involving the following categories of products and services:

- (1) Adult entertainment products and services;
- (2) Alcohol products;
- (3) Cannabis products;
- (4) Controlled dangerous substances;
- (5) Prescription pharmaceuticals;
- (6) Casinos and gambling, including sports betting, the lottery, and betting in connection with video games, on-line games and mobile devices; and
- (7) Weapons, firearms and ammunition.

E. Awards. A student-athlete may only accept individual interscholastic awards and similar mementos if the award is approved by the local Board of Education or school governing body, in keeping with traditional high school requirements which are basically symbolic in nature, i.e., letters, sweaters, jackets, pins, trophies, rings and watches. No other award of monetary value may be granted to any student-athlete without prior approval by the local Board of Education or school governing body and the NJSIAA. Also, a student-athlete may accept a monetary award under the United States Olympic Committee's "Operation Gold" program without compromising his/her eligibility for NJSIAA competition. Operation Gold awards athletes for top-place finishes in a sport's most competitive international competition of the year.

F. Participation in Non-NJSIAA Events. A student-athlete who participates in non-NJSIAA events may receive reasonable travel, meal and lodging expenses. Beyond reasonable, travel, meal and lodging expenses, a student-athlete may accept sports-related paraphernalia with a monetary value not to exceed \$500.00.

Note – Compliance with this provision does not ensure maintenance of eligibility under the eligibility standards of other athletic organizations, such as, but not limited to, the NCAA, NAIA, NJCAA, etc. Student-athletes are encouraged to communicate with those organizations to ensure any activity complies with those eligibility standards.

[If adopted, this provision will become effective on January 1, 2022.]

Discussion took place. Jorge Diaz asked if there was huge demand for this rule change. The answer is no, but Ms. Maguire wants to get in front of the issue because there are some NJ athletes that will benefit from this. It's not even about an athlete's athletic prowess. There could be an athlete with musical talent but can't profit off it because they do not want to jeopardize their sports eligibility. Russell Petrocelli recommended adding tobacco as a product student-athletes are prohibited from engaging in any NIL activities with. A motion was made by Russell Petrocelli, seconded by Daniel Finkle, to amend the original motion and approve the new NJSIAA Amateur Rules Update with the addition of banning students from engaging in any NIL activities that involve tobacco and nicotine products. Motion passed first reading with one opposition (Diaz) and one abstention (Whalen).

Out of State Competition Clarification – First Reading – Voice Vote – There continues to be an increase in sport-specific teams that purport to be a high school team, but in actuality these teams offer inadequate or no academic programs. The students do not attend school, they are just there to play sports and there is little to no oversight by a governing body or member-based association. The most prevalent teams are in the sports of football and boys basketball. For instance, in late August there was a reported story of a high school football game that was carried by ESPN – after the game it became known that one of the teams was not affiliated with an accredited high school, players varied in ages into their early 20s and the team did not belong to any association or governing body. The team put the

health and safety of their own players at risk by competing in two football games within three days. Furthermore, over the summer, both NJSIAA and NFHS received inquiries from a newly-formed basketball academy seeking sanction approval to compete against NJSIAA member schools. This academy is located out of state, is not an accredited school or affiliated with any state high school association/affiliated association. Their inquiries were very specific to our Bylaws and Rules and Regulations.

This proposal is meant to clarify who our member schools may compete against out of state regardless of whether the competition is hosted within NJ or outside of NJ. The goal of this proposal is to make it very clear that NJSIAA member schools may only schedule competition against teams that are members of their respective high school athletic association or have otherwise been approved for competition by their high school athletic association.

A motion was made by Dr. David Salvo, seconded by Frank Torcasio, to amend the Rules and Regulations, Specific Sport Regulations, Note 3, with the wording underlined below.

3. Member schools may schedule games or scrimmages with any school **that is academically** accredited by its regional accrediting agency and having athletic eligibility standards similar to the New Jersey State Interscholastic Athletic Association. Member schools may schedule regular season games or scrimmages with non-member schools, or with member schools of the New Jersey Association of Independent Schools; however, in such case, any waiver of the NJSIAA eligibility rules must be agreed upon and set forth in the contract. Under this section, competition is limited to teams (or individuals) whose participants are in the first year of post-high school matriculation. Waiver of NJSIAA eligibility rules will not be granted for sanctioned tournaments.

CL 4: No member school may engage in athletic competition, scrimmage and/or practice with an out-of-state school which is not a member in good standing of its respective state high school athletic association or has not been approved by the respective association as an affiliate.

Motion carried with one abstention (Whalen).

Title IX 50th Anniversary Celebration – Next June will be the 50th anniversary of the passing of Title IX. In the summer, the association started a social media campaign to highlight NJ females including a weekly Trailblazer Tuesday series with feature articles. Ms. Maguire thanked former NJ Advance Media reporter, Sean Reilly, for doing a great job doing the write-ups each week. It's important to make our current student-athletes aware of the people who paved the way for them. The anniversary celebration will culminate with a luncheon in September 2022. Some of the people highlighted over the year will be in attendance. The association is seeking nominations/recommendations of student-athletes turned into successful careers, not just in athletics. The first trailblazer highlighted was none other than the association's very own - Ms. Kim Cole!

NJSIAA Sportsmanship Week – Officials Week was rebranded Sportsmanship Appreciation Week, which kicks off on October 18th. The goal is to bring awareness to the importance of sportsmanship by highlighting moments of sportsmanship around the state. There is a concern about declining sportsmanship across all stakeholders. Soccer officials have stopped officiating mid-season due to sideline behavior and football games have had issues with fighting in the stands. The association recommends that schools recognize the officials at events, provide some post-game snacks for your opponents, or highlight your opponents on social media.

Ms. Maguire also added that yesterday she was disappointed because she had to post a statement to Athletic Directors and the Football Coaches Association addressing growing conversations among some teams to mutually drop a game in the remaining weeks of the season, in an effort to improve one or both teams' ranking for postseason seeding purposes. These conversations are contrary to our mission of education-based athletics and fair play, violate the rules of sportsmanship, and is disrespectful to the

student-athletes. NJSIAA expects every game to be played as originally scheduled unless there is a legitimate reason, such as a COVID-related circumstance, that the game should be cancelled.

Program Review

Girls Ice Hockey Proposal – One Reading – NJSIAA has seen an increasing trend in the number of girls playing ice hockey – either with their school’s boy team or on a girl team. During the 2013-2014 season, approximately 200 girls played ice hockey. During the 2019-2020 season, there were over 400 girls playing ice hockey with 15 girl teams among NJSIAA member schools. It is anticipated that there will be a 16th girls ice hockey team playing during the upcoming 2021-2022 season. For these reasons, NJSIAA proposes a two-year pilot program to sponsor a Girls Ice Hockey State Tournament during the 2021 – 2022 and 2022 – 2023 seasons. All teams will be eligible for the tournament and the teams will be seeded by a committee. The Prudential Center has been asked to provide one additional ice slot during the state championship games on Monday, March 7, 2022. If they cannot, there will be a championship game at either Codey Arena or Mennen Arena. The Finance Committee reviewed the estimated costs associated with this proposal. During this two-year pilot program, all teams will follow the boys ice hockey regular season rules and regulations, specific to season dates, maximum number of games, etc., while all student-athletes will be required to meet all NJSIAA eligibility standards. In addition, during this two-year pilot program, girls will be permitted to participate on the boys team if they choose; however, they will not be permitted to participate on both the boys and girls team. A motion was made by Steven Jenkins, seconded by John Downey, to approve a two-year pilot program to sponsor a Girls Ice Hockey State Tournament during the 2021 – 2022 and 2022 – 2023 seasons. Motion carried unanimously. Ms. Maguire thanked Bill Librera and Dan Healy for their input in crafting this proposal.

Fencing Proposal – One Reading – During the 2019-2020 winter season, approximately 2,400 student-athletes participated in boys or girls fencing, from approximately 55-member high schools, which accounts for about 1% of our total participation. With the exception of gymnastics, boys and girls fencing is NJSIAA’s lowest participation sport. Given the low level of participation for fencing, NJSIAA absorbs a disproportionate net loss on an annual basis – the average net loss is approximately \$25,000 per year. This compares to an annual net loss of about \$20,000 per year for boys and girls swimming, \$25,000 per year for boys and girls cross country and \$20,000 per year for boys and girls golf – all sports with expensive facility-related costs, minimal revenues to offset the costs, and significantly higher amounts of participation. NJSIAA currently hosts four different tournament levels for boys and girls fencing – Districts, Team tournament, Squad tournament and an Individual tournament. NJSIAA does not currently sponsor four tournaments in any other sport. Each tournament level requires the use of neutral site hosts with significant expenditures on equipment rental, tournament staffing and officials.

NJSIAA staff requested approval to eliminate the Squad tournament during the upcoming 2021-2022 season and beyond. By eliminating the Squad tournament, this will bring the boys and girls fencing post-season in line with other sports that offer both a team and individual tournament, it will reduce the need for neutral site hosts which are becoming increasingly more difficult to solicit, and it will reduce the total net loss absorbed by the Association, which will allow for those resources to be used for other programs – such as the start-up costs for a girls ice hockey state championship tournament. The Squad tournament averages a net loss of approximately \$7,000 - \$8,000 each year. Lastly, by preserving the individual tournament, NJSIAA is providing an opportunity to those student-athletes who may be attending a member school that does not host a boys or girls fencing team and is consistent with other NJSIAA sports that have both a team and individual component. The NJ Fencing Coaches Association also felt strongly about preserving the individual tournament and have offered to sponsor the squad tournament if NJSIAA does not. A motion was made by Jason Miller, seconded by Jeremy Braverman, to eliminate the Fencing Squad tournament during the upcoming 2021-2022 season and beyond. Motion carried unanimously.

Chief Compliance Officer Update (Kim DeGraw-Cole)

Eligibility & Eligibility Appeals Committees – The Eligibility Committee met virtually on September 28 and reviewed a total of 17 Eligibility Waiver Requests. The next meeting is scheduled for December 1, 2021. The Eligibility Appeals Committee will meet on October 21 and 27 to hear appeals. 158 COVID-19 Credit Waivers from 51 member schools were reviewed and granted for a Fall Sport. All included a corrective action plan for academic recovery, transcripts, and a letter of approval from the principal of the school. Ms. Cole anticipates COVID-19 Credit Waivers for a Winter Sport will be submitted in November and December. Schools should provide first marking period grades as well as an Action Plan to keep the students on track in all classes. There will be no COVID-19 Credit Waivers Granted for Spring Sports as per the COVID-19 Compliance Package- Part 2 passed by the NJSIAA Executive Committee. 12 IEP Credit Waivers and one 8th grade waiver for high school participation due to age were granted.

Status Report on Transfers – Details distributed to the committee are below:

- Covid-19 Amendment Part 2-Return to Former School enrolled in on March 16, 2020: 19
- Home Campus Transfers: June/July to October 7, 2021
 - Transfers: approximately 1,700 in the system
 - Pending Former School Response: 345
 - Under Review or Affidavit Issues: 9
 - Immediately Eligible with No Varsity Participation at the former school: 838
 - Immediately Eligible Bona Fide Change of Residence with Varsity Participation: 235
 - Immediately Eligible: 58 including International Students (14)
 - Ineligibility Period Applies with Varsity Participation and No Bona Fide Change of Address: 203
 - Hearing Pending: 1
 - Remaining other status
- Total Transfers Varsity and Non-Varsity (June 15-Oct. 7 Reports)
 - Transfers from Public to Non-Public: 405
 - Transfers from Public to Public: 913
 - Transfers from Non-Public to Non-Public: 195
 - Transfers from Non-Public to Public: 329
- Sport breakdown (June 15 to October 7 Reports)-Varsity at the Former School
 - Football: 202
 - Breakdown-Football
 - NP to NP-30; NP to P-30; P to NP-40; P to P-102
 - Ineligibility Period Applies: 59
 - Bona Fide Change of Residence: 125
 - Immediately Eligible: 18
 - Boys Soccer: 40
 - Girls Soccer: 23
 - Girls Volleyball: 16
 - Field Hockey: 15
 - Girls Cross Country: 11
 - Boys Cross Country: 10
 - Girls Tennis: 7
 - Boys Basketball: 42, Girls Basketball: 19
 - Wrestling: 30
 - Ice Hockey: 12
 - Indoor Track & Field: Boys 12 and Girls 7
 - Swimming: Boys 10 and Girls 4

- **NEW:** A Student who transfers after the NJSIAA Competition Start Date for each sport, regardless of whether the transfer was the result of a bona fide change of residence, shall be ineligible to participate in any post-season championship competition at the new school. For football, the Week 1 Competition Start Date will be used. The athletic administrator in each school is responsible to monitor. **Please Note this applies to students with or without previous varsity participation.**
 - Fall Sports Transfer Date (on or before)
 - Tennis: September 1, 2021
 - Football: September 2, 2021 (Week 1)
 - All other Fall Sports: September 7, 2021
 - Winter Sports Transfer Date (on or before)
 - Bowling: November 20, 2021
 - Ice Hockey: November 26, 2021
 - Swimming: December 1, 2021
 - Basketball, Fencing, Indoor T & F, Wrestling: December 17, 2021
 - Skiing: January 3, 2022

Legislation / Advisory Committee – Any member school that wants to make a change to the Constitution, Bylaws, Rules and Regulation must submit their proposal to Ms. Maguire and Ms. Cole by 12/1/21.

Field Hockey Update –The Intent to Enter deadline is October 15, cutoff is October 16, the Officials Conflict of Interest Form is due October 17, and all games must be entered at njschoolsports by noon on October 17. Tournament seeding will take place on October 20. All schools participating should review the 2021 NJSIAA Field Hockey Tournament Regulations and the NJSIAA Field Hockey Rule Modifications on NJSIAA's website, which contains all designated play dates. Home Schools will contact their local assignor for officials until the sectional finals round, which is when NJSIAA will begin assigning officials for the rest of the tournament. All Sectional Finals to the completion of the tournament must be played on turf fields. Of the 189 schools entered so far, 158 schools will qualify for the tournament. All schools, even those that don't plan to enter the state tournament, must enter game results because it has an impact on those playing in the tournament.

Chief Operating Officer Update (Tony Maselli)

NJSIAA SMAC Update – After reviewing all the COVID-19 information distributed over the past 1.5 years, it was agreed that NJSIAA will no longer issue COVID-19 guidance. Schools should follow CDC guidelines. It was also agreed a family doctor should be the one to clear a student for COVID-19 since they know the kids better than a school physician, but that's a school policy/decision. The 2019 PPE Form is not currently ready. NJSIAA is currently using the 2014 PPE form, awaiting approval for the 2019 Form. It was questioned whether some coaching requirements (AED, CPR) can be done online instead of in person, but the request was unanimously denied because some pieces are still required to be completed in-person, so instead of having to submit two types of certificates, it's easier to just do one course for all requirements. Plus, these requirements are too important to be taught online only. Members schools requested to permit coaches to take the concussion test every two years instead of annually. This was discussed and denied. The wrestling skin policy was reviewed extensively. The committee is not sure every school knows the policy, so as the season gets closer, Mr. Maselli will distribute the information again, so everyone is clear. There was also a push to exclude field hockey goalies from heat acclimatization. This request was denied by the committee.

Girls Tennis Update – So far, there's been only one postponement in the tournament. Approximately 300 student-athletes will participate in the singles/doubles tournament. Everything has been going well.

Disqualification Update – In the next Leagues and Conferences meeting, NJSIAA will discuss whether to change the association’s bench clearing brawl disqualification policy. Currently, if an athlete leaves the bench and goes on the field, it’s a DQ so if 10 kids leave the bench that is 10 disqualifications, even if an athlete isn’t fighting and is just trying to get his/her teammates back to the bench. It was discussed whether this act should be just one DQ for the coach since it’s his/her responsibility to control and educate players on proper behavior in these type situations. This change will also prevent one incident from keeping kids out of the state tournament since if a school has 3 DQs, they cannot participate in our post-season play. Joseph Bollendorf asked if there can be a third option considered – a penalty for both coach and students such as a one-day sit, but not disqualification from the tournament. This can be discussed.

Soccer Yellow Card Pilot Program - Mr. Maselli outlined this pilot program last month. Due to the numerous complaints from soccer officials that coaches were berating them, officials can now issue a yellow card to coaches, which will serve as a warning and a way to collect data for the soccer committee to determine if there should be a penalty/consequence for receiving a yellow card in the future. There have been 31 playdates so far since the beginning of the season. In that time, 140 warnings have been submitted, which is an average of 4.5 per day. These are alarming numbers. Mr. Maselli hasn’t analyzed the data yet so he can’t report if it’s multiple coaches receiving multiple warnings, or a particular official issuing many of the warnings but since kids are raised by coaches, they need to emulate good role models, so this program will identify if more action needs to be taken. Dr. Camp asked if other sports are getting complaints. Mr. Maselli explained that this pilot program was tested in soccer first but most likely will be utilized in other sports going forward. Mr. Bollendorf asked if there is a penalty for a yellow card, because if not, he commented that a coach can get a yellow card each game with no consequence. Can there be a penalty for multiple yellow cards? Mr. Maselli answered yes, and these type questions will be considered when analyzing the program in the post-season meeting. Mr. Maselli shared that one NJ conference tracks yellow cards and suspends coaches if they receive multiple yellow cards.

ZebraWeb Update – The association froze all ZebraWeb accounts of any official that did not register on the NJSIAA website. Mr. Maselli anticipated this may affect 200 or so officials. Instead, in a 48-hour period, over 2,000 officials registered on the NJSIAA site. This was a major disruption to schools who had to cancel or move games. Mr. Maselli apologized for the inconvenience, but explained that it had to be done to ensure officials were being vetted and getting background checks, etc. That said, this will be the last time this type of disruption happens.

Trophies and Awards Update – NJSIAA is currently assessing awards in all sports. The goal is to standardize them in a way that makes sense fiscally.

AI Stumpf

Girls Volleyball Update – Tournament dates were distributed. The six Public and Non-public Group Finals will be played on November 13th at William Paterson University. Then the TOC Preliminaries will be played on November 18th, at the higher seeded team site. Seeds 1 and 2 will have byes. The TOC Semis and Finals will be played at Franklin High School on November 20th and November 21st respectively. Franklin HS is a beautiful facility that seats 4,000 people and is a better economic choice than William Paterson University. If there’s an any issues with assigning officials for Rounds 1-3, schools should contact Sharon Hughes for help.

Cross Country Update – Tournament dates were distributed. There will be no parking at Holmdel Park – all spectators must park at Bell Works and take a shuttle bus to and from the park. Cost is \$3 per person payable to the lot. People who attempt to park in the neighborhoods around the park will be ticketed and/or towed. Bell Works has a food court that will be open that day. The Meet of Champions will take place on November 20th at Holmdel Park. The girls will run at 11 am; the boys at 11:45 am, with an awards ceremony scheduled for 12:30 pm.

Unified Sports Update – Emily Springle is the new contact at SONJ for Unified Sports: Her contact information is EPS@sonj.org / Office 609-896-8000 x 264). Ms. Springle used to intern at NJSIAA when she was attending Temple University. This year, NJSIAA will sponsor the following Unified Sports: bowling, basketball, swimming (may include some relays this year at our state swim meets), and track and field. There will be a Unified State Championship Track Meet at Franklin HS but on a different day than the Meet of Champions because it's a very long day doing both together and it's preferred to have this event at night so parents can come and there's more participation.

NJ Basketball Coaches Association Clinic – The NJ Basketball Coaches Association held a basketball clinic at Montgomery HS last week. 162 coaches attended. It was a great clinic with outstanding speakers. Mr. Stumpf, a former basketball coach, even learned some new things!

Derryk Sellers

Gymnastics Update – The five Sectionals will take place on November 6th at the following schools: Ridgewood HS, Saint Thomas Aquinas HS, Manalapan HS, and Seneca HS. St. Thomas Aquinas offered to host two sessions.

Soccer Update – All Group Finals will be played at Kean University. The Non-Public Group Finals will be on 11/14, the Boys Public Group Finals on 11/20 and the Girls Public Group Finals on 11/21.

Finance Committee Update – Tom Mullahey

Approval of Monthly Checks – The September 14, 2021 through October 11, 2021 checkbook was approved by the finance committee and all checks were approved per policy before they were disbursed. Mary Liz Ivins made a motion, seconded by James Gaffney, to approve the September 14, 2021 through October 11, 2021 check registers. Motion carried unanimously.

Report of Counsel (Scott Miccio) – Mr. Goodell and Mr. Miccio have been busy with eligibility determinations and aiding Ms. Maguire in crafting the proposals that were presented in today's Executive Committee meeting.

Old Business / New Business – none

Adjournment - There being no further business, a motion was made by Joseph Bollendorf, seconded by John Faraccio at 12:14 pm, to adjourn the meeting. Motion carried unanimously.

Respectfully submitted,

Colleen Maguire
Executive Director

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