

BALLOT PROPOSAL NO. 2
Proposal to Amend the Transfer Rule

NJSIAA staff has proposed amending the Transfer Rule. The new rule would allow one free transfer under certain circumstances. Existing rules addressing bona fide change of residence, the thirty-day period of ineligibility, and transfers for athletic advantage would be deleted.

The Advisory Committee and the Executive Committee have endorsed this proposal.

This proposal requires a majority vote of the membership at the Annual Meeting, based on the total number of ballots cast at the Annual Meeting.

BYLAW CHANGE

NJSIAA Bylaws, Article V, Section 4.K., “Transfers,” (*Handbook* pages 46-49) shall be deleted in its entirety, and replaced with the following:

K. Transfers

(1) Purpose.

NJSIAA’s mission is to administer education-based interscholastic athletics, which support academic achievement, good citizenship, and fair and equitable opportunities. Transfers for athletic reasons undermine the stability of sports programs, elevate athletics over academics, lead to disparities in competitiveness, and erode the level playing field that the NJSIAA seeks to foster. Multiple transfers within a high school career disrupt a student’s education. Transfers after a sports season has started not only disrupts the team, but also the competitive balance among schools.

This rule is designed to discourage transfers for athletic reasons, multiple transfers, and transfers after a sports season has begun, by imposing short but predictable periods of ineligibility for those transfers while providing one penalty-free transfer under certain conditions.

Because the periods of ineligibility set forth in this rule are among the shortest in the nation, and the purpose of the rule is designed to deter inappropriate transfers, there shall be no waivers of this rule.

(2) Definitions.

Transfer: A “transfer” occurs when a student who has previously enrolled in a secondary school leaves that school and enrolls in a new one. The date of transfer shall be the earlier of the first day of class or the first day of sports participation at the new school.

Senior Transfer: A “Senior Transfer” is a student-athlete whose first transfer occurs during or after their third season of eligibility in a particular sport in which they participated in during the 12 months preceding the transfer.

Start of Practice Date: “The Start of Practice Date” is the first day of practice for each sport as set forth annually in the Program Regulations, Section 6.

Competition Start Date: The “Competition Start Date” is the first day of competition for each sport as set forth annually in the Program Regulations, Section 8. For football, the Week 1 Competition Start Date will be used.

HIB Transfer: Under the Anti-Bullying Bill of Rights Act, a state law that public schools are required to follow and non-public schools are encouraged to follow, harassment, intimidation and bullying (HIB) are matters that are investigated and addressed by the school. The NJSIAA does not hold hearings to determine whether a student was bullied. A “HIB transfer” will exist when a school, after investigating a HIB complaint, determines that the proper action to remediate the complaint is an alternative placement or a school transfer.

Maximum Number of Contests: The “Maximum Number of Contests” for each sport are as set forth in the Program Regulations, Section 15. For football, the Maximum Number of Contests is nine. For wrestling and other sports without a maximum number of contests listed in the Program Regulations, the period of ineligibility shall be the number of days specified in each section below.

(3) A student’s first transfer.

Students are entitled to one penalty-free transfer during the first six semesters after their initial high school enrollment, provided that the transfer occurs on or before the Start of Practice Date of the sports season in which the transfer occurs.

(4) Transfers occurring after the Start of Practice.

Students who transfer after the Start of Practice Date will be subject to a 30-day period of ineligibility (or $\frac{1}{2}$ the Maximum Number of Contests in that sport, whichever is less).

(5) Transfers occurring after the Competition Start Date.

In addition to the period of ineligibility set forth in Section 4 above, any student who transfers after the Competition Start Date will not be eligible for NJSIAA postseason competition in that sport.

(6) A student’s second or subsequent transfer.

Students who transfer a second or subsequent time will be subject to a 30-day period of ineligibility (or $\frac{1}{2}$ the Maximum Number of Contests, whichever is less) for all NJSIAA sanctioned sports in which the student participated during the 12 months preceding the transfer.

(7) Senior transfers.

Senior transfers, as defined above, are subject to a 22-day period of ineligibility (or $\frac{1}{3}$ the Maximum Number of Contests, whichever is less) in each sport in which they participated during or after their third season of eligibility, during the 12 months preceding the transfer.

(8) General application.

- a. This Transfer Rule applies to all athletes at all levels of participation (not just varsity athletes) and is applicable to all NJSIAA-sanctioned sports in which the student participated during the 12 months preceding the transfer. Transferring students may participate in a new sport without penalty.
- b. The period of ineligibility will begin on the Competition Start Date of each sport. For students who transfer after the Competition Start Date, the period of ineligibility will begin on the date of enrollment.
- c. When calculating the period of ineligibility using the Maximum Number of Contests, NJSIAA will round down to the nearest whole number if the number of contests is not divided evenly. For example, if the Maximum Number of Contests were 14, then the calculation for a Senior Transfer (14 divided by 3) would be 5.67 and rounded down to a 5 contest sit.

(9) Exceptions.

Immediate eligibility, without penalty, will be granted for transfers resulting from DCP&P placement, court placement, HIB transfers, and military transfers.

(10) Enforcement.

The NJSIAA monitors transfers with the cooperation of the member schools. To that end, the NJSIAA maintains an online Transfer Portal. For each transferring student, the sending school and the receiving school must enter the required information into the Transfer Portal.