



To: NJSIAA Executive Committee
From: Paul Popadiuk, Chief Compliance Officer
Date: October 18, 2023
RE: NJSIAA Bylaw Clarification Proposals

At the Association's May 2023 annual meeting, NJSIAA member schools approved changes to the transfer rule and athletic recruitment rule. The following two proposals will help clarify the new rules and help ensure consistent application. Each recommended change is supported by a brief rationale statement.

PROPOSED BYLAWS AMENDMENTS

[Additions are underlined, and deletions are ~~struck through~~.]

(1) NJSIAA Bylaw Article V Section 4

D. Athletic Recruitment – This subsection prohibits the recruiting of high school students. For the purposes of this subsection, a student becomes a “high school student” on the first day the student attends ninth grade, or the first day the student attends fall sports practice prior to the student's ninth grade year, whichever is earlier.

CL 1: Paragraphs 2(c) and 5 below are applicable to students of all grade levels, not just high school students.

1. Athletic recruitment is contrary to the purposes and objectives of high school sports. Prohibiting athletic recruitment helps to keep athletics in its proper place and subordinate to academics; protects student-athletes from those having interests that might not be consistent with the interests of the student-athletes; and maintains competitive equity on a level playing field among member schools.
2. Athletic recruitment is defined as any effort to, proselytize, pressure, urge or entice a student to transfer to a school for athletic purposes. It is a violation for a member school to engage in athletic recruitment or for a student-athlete to transfer to a school as a result of athletic recruitment. Athletic recruitment includes, but is not limited to:
 - a. Using mail, letters, brochures, or news media to compare high schools and to solely point out the athletic assets of the sender;

- b. Engaging in proselytizing interviews or communications, initiated by school personnel or associates;
 - c. Offering athletic scholarships, free tuition or other monetary assistance, either from the school directly or indirectly through some affiliated body or individual, to induce a student to attend the school for athletic reasons.
3. A member school shall be responsible for athletic recruitment by anyone associated with the school or acting at the direction of the school, including but not limited to administration, staff, coaches, students, parents, booster clubs, or any organization having a connection with the school.
4. Any evidence of recruiting by a member school shall subject the school to a hearing before the Controversies Committee. A school that is found to have violated the athletic recruitment rule shall be subject to the penalties set forth in Article X.
5. Any evidence that a student has moved to a residence associated with, leased, or provided by anyone associated with the school or acting at the direction of the school, including but not limited to administration, staff, coaches, students, parents, booster clubs, or any organization having a connection with the school, shall be considered prima facie evidence of recruiting.

Rationale: *This clarifies that scholarships, monies, housing, etc. cannot be given to students in grades K-8.*

(2) NJSIAA Bylaw Article V Section 4

K. Transfers

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.

CL 1: *A transfer student is eligible to participate in sports at the new school when (1) the student has enrolled at the new school and (2) the student has either withdrawn from the former school, or the school year has concluded at the former school. Acceptance or admission alone does not constitute enrollment. This clarification is applicable to the school year and summer recess period.*

Rationale: *This addition clarifies when students are eligible to participate in sports, both during the season and during the summer recess period, once transferring to a new school.*