



Mohammed Choudhury
State Superintendent of Schools

TO: Members of the State Board of Education

FROM: Mohammed Choudhury
State Superintendent of Schools

DATE: February 22, 2022

SUBJECT: COMAR 13A.06.03
Interscholastic Athletics in the State
Permission to Publish

PURPOSE:

The purpose of this item is to request permission to publish amendments to Code of Maryland Regulation (COMAR) 13A.06.03 *Interscholastic Athletics in the State*. The amendments address calendar year opportunities that enable local school systems to administer equitable participation for the benefit of student enrichment.

REGULATION PROMULGATION PROCESS:

Under Maryland law, a State agency, such as the State Board, may propose a new or amended regulation whenever the circumstances arise to do so. After the State Board votes to propose such a regulation, the proposed regulation is sent to the Administrative, Executive, and Legislative Review (AELR) Committee for a 15-day review period. If the AELR Committee does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, the Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments.

Thereafter, the MSDE staff will present a recommendation to the State Board of Education to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final, because the suggested revision is not a substantive change; or (3) revise the regulation and re-propose it because the suggested revision is a substantive change. At any time during the process, the AELR Committee may stop the promulgations process to hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

BACKGROUND/HISTORICAL PERSPECTIVE:

The current athletic regulation pertaining to the Maryland Public Secondary Schools Athletic Association (MPSSAA) limits the participation of students to the defined timeframes of the first available practice date to the last competition date of each school's competitive season. The MPSSAA, with unanimous support of the local superintendents of schools, is proposing a set of amendments to expand opportunities for student-athletes under the umbrella of the local school system.

The proposed amendments:

- Strike the language that requires all school athletic teams to have their schedules set by the first available playdate to provide greater flexibility in scheduling options for local school systems;
- Allow for schools to participate in National Federation of State High School (NFHS) and MPSSAA sanctioned events outside the defined sport season; and
- Allow local school systems to sponsor summer camps to encourage student participation and provide equitable access to skill development sessions.

During the past two academic years, the MPSSAA and local school systems observed various degrees of skill development and participation opportunities due to COVID-19. Students' individual access level to school teams, non-school teams, camps, and participation opportunities not available through the local school system has been reflective of inequitable opportunities, the majority of which are based on socioeconomic status.

The Maryland State Board of Education has waived regulations for interscholastic athletics the last two academic years in order to assist in maximizing participation opportunities due to COVID-19 cancellations. These opportunities spurred local school system creativity to develop student-athlete opportunities and skill development sessions with high school coaches, which ultimately led to an increase in student-athlete participation. The proposed amendments create greater local school system scheduling flexibility, provide participation opportunity in sanctioned events for student recruiting purposes, expand the summer camp rule to allow for local school system approved sport camps, and codify equitable participation opportunities for all students.

The fundamental rationale behind the MPSSAA's proposed changes is to expand the opportunities of student-athletes under the umbrella of the local school system. The MPSSAA believes the local school system has the ability to oversee these participation options, which will provide the following benefits to these interscholastic programs:

- Student-athlete engagement (academic and athletic)
- Access to summer camp instruction for all students regardless of socioeconomic status
- Increased student-athlete participation
- Coaches' ability to supervise and instruct as a program
- Increased opportunity for student recruitment

The process found in COMAR 13A.06.03.11 *Amendments* for amending the athletic regulations specifies that "amendments approved by the MPSSAA shall be forwarded to the State Superintendent of Schools who will receive recommendations from local superintendents of schools before the State Superintendent of Schools submits recommendations to the State Board of Education." The MPSSAA Board of Control and local superintendents of schools unanimously endorsed these proposed amendments, which are being presented to the State Board for consideration.

EXECUTIVE SUMMARY:

The regulations that govern interscholastic athletics provide for equity of competition and participation opportunities throughout the State. As such, regulations are the result of a collaborative process between the MPSSAA, local superintendents, the State Superintendent, and the State Board of Education.

Members of the State Board of Education

February 22, 2022

Page 3

The proposed changes are to amend the seasonal limitations to expand equitable opportunities of student-athletes under the umbrella of the local school system.

ACTION:

Request permission to publish amendments to COMAR 13A.06.03 *Interscholastic Athletics in the State*.

ATTACHMENTS:

COMAR 13A.06.03 *Interscholastic Athletics in the State*

Title 13A STATE BOARD OF EDUCATION

Subtitle 06 SUPPORTING PROGRAMS

Chapter 03 Interscholastic Athletics in the State

Authority: Education Article, §§2-205 and 2-303(k), Annotated Code of Maryland

.03 Sports Season

Member MPSSAA schools shall conduct all interscholastic athletic contests and practice sessions in accordance with the following:

A. The sports seasons shall be defined as follows:

(1) "Fall" means the 6th Wednesday following the first Sunday of July, until the final date of the local, conference, district, regional, or State tournament.

(2) "Winter" means November 15th until the final date of the local, conference, district, regional, or State tournament.

(3) "Spring" means March 1st until the final date of the local, conference, district, regional, or State tournament.

(4) When November 15th or March 1st falls on Sunday, practice will start the preceding Saturday.

(5) *Sanctioned Events. Local school systems may approve the participation of member schools to practice and compete in sanctioned National Federation of High Schools (NFHS) and MPSSAA events outside the defined sport season.*

~~[(5)]~~ (6) Required Practice. A member MPSSAA school may not participate in a regularly scheduled game until at least 20 calendar days have elapsed after and including the first day of practice. Golf is the only exception to this regulation.

B. Maximum Number of Contests Permitted During a Sports Season.

(1) All school athletic schedules shall be established [~~before the first MPSSAA allowable play date of each sport's season~~] according to the following instructions:

.04 Operational Guidelines. C. Limits of Participation

C. Limits of Participation.

(1) Each local school system and state tournament committee shall establish guidelines that ensure a minimum loss of instructional time for coaches and students involved in interscholastic athletic contests.

(2) Students who participate on both varsity and junior varsity teams may not play in a number of contests that exceed the maximum number allowed for that sport in a week or season. Students may not compete on both a varsity and junior varsity level against the same school on the same day.

(3) *Except as set forth in Regulation .03 of this chapter s*[S]chool athletic teams may not participate in any contests representing their school [~~before or after the defined sports season~~].

(4) Member MPSSAA schools may not play or practice on Sundays.

(5) Individual students may participate in all-star games and events, upon completion of their eligibility in the sport in which this participation occurs.

(6) Member MPSSAA schools shall practice with or play against only high school teams as defined in §H of this regulation.

(7) Individual students or teams representing a member MPSSAA school shall participate only in games, meets, or tournaments which are conducted by appropriate educational institutions.

(8) Member MPSSAA schools may not enter competition preliminary to a college or professional game.

(9) A varsity or junior varsity team member of the previous season may not participate in interscholastic competition and in intramurals or school sponsored athletic programs in the same sport outside the sport season.

.04 Operational Guidelines. E. Out-of-Season Practice.

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(1) Member MPSSAA schools and coaches of member schools shall confine school practices to: [the seasonal limitations as defined in Regulation .03 of this chapter.]

(a) The seasonal limitations as defined in Regulations .03 of this chapter; or

(b) Approved local school system sponsored camps.

(2) A coach may not coach a team representing the coach's school beyond the [sports season as defined in Regulation .03 of this chapter] *defined competition opportunities designated in Regulation .03 of this chapter unless during approved local school system sponsored summer camps.*

.04 Operational Guidelines. G. Summer Camps.

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(1) Students may attend a summer sports camp of their choice.

(2) [Member MPSSAA schools, member school coaches, school-related organizations, or individuals may not sponsor or conduct a camp in which students who are returning players are involved or participate. A camp composed of several coaches with their respective teams is a violation of this regulation.] *Students and member schools may participate in a summer camps that are sponsored by the local school system.*

(3) MPSSAA member schools and coaches may not require school personnel or students to participate in a summer camp.

(4) Participation in summer camps is strictly voluntary and shall not have any bearing on seasonal participation.

[*(3) Coaches of member MPSSAA schools, while affiliated with a camp, may not conduct any form of team or group practice involving their school. Such a practice is considered a violation of the out-of-season practice rule defined in Regulation .03 of this chapter.*] *(5) It is a violation of the out-of-season practice rule established in Regulation .03 of this chapter for coaches of member MPSSAA schools, while affiliated with a camp that is not sponsored by the local school system, to conduct any form of team or group practice involving their school.*

[*(4)*] *(6)* A member MPSSAA school may not provide school uniforms or equipment for students who attend a camp outside of the defined sports season in Regulation .03 of this chapter.