

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 817 (Delegate Shoemaker)
Ways and Means

State Department of Education - Interscholastic Athletics Eligibility Waiver -
Graduate Athletes

This bill requires the Maryland State Department of Education (MSDE) to waive the following eligibility requirements for participation in interscholastic athletics at the high school level for graduate athletes for the 2021-2022 school year only: (1) enrollment and attendance at a Maryland Public Secondary Schools Athletic Association (MPSSAA) member school; (2) academic progress requirements; (3) age restrictions; and (4) graduate eligibility restrictions. A graduate athlete may participate in an interscholastic athletic program only at the public high school from which the graduate athlete graduated and may be enrolled at institution of higher education. **The bill takes effect July 1, 2021, and terminates June 30, 2022.**

Fiscal Summary

State Effect: None. MSDE waving the specified regulation in regards to the eligibility of graduate athletes has no State fiscal impact.

Local Effect: Local school system finances are not materially affected; however, funding and resources may be directed away from currently eligible students to graduate athletes.

Small Business Effect: None.

Analysis

Bill Summary: “Graduate athlete” is defined as an individual who (1) was enrolled as a grade 12 student in a public high school in the State during the 2020-2021 school year; (2) graduated from the public high school in 2021; and (3) was eligible to participate in an

interscholastic sport at the high school level at a MPSSAA member school during the 2020-2021 school year.

Current Law: According to the Code of Maryland Regulations, local school systems may adopt rules governing their athletic programs that are more restrictive than those of MPSSAA. However, less restrictive rules may not be adopted.

COMAR 13A.06.03.02 – Eligibility for Interscholastic Athletics

According to regulations, to be eligible to participate in interscholastic athletics at the high school level, a student must be officially registered and attending the member MPSSAA school they are authorized to attend. A student may only represent only the school in which they are registered and where the student is anticipated to complete graduation requirements.

Each local school system must establish standards of participation which assure that students involved in interscholastic athletics are making satisfactory progress toward graduation.

Students who are 19 years old or older as of August 31 are ineligible to participate in interscholastic athletics. Students in grades 9, 10, 11, and 12 may participate in interscholastic athletic contests for a maximum of four seasons in any one sport.

Middle, intermediate, or junior high school students are not eligible to compete or practice with high school teams. However, grade 9 public school students who reside in the attendance area of a high school organized grades 10 to 12 may participate in the interscholastic athletic program of that high school.

Students must maintain amateur status as defined in regulations. Students, while participating on a school team, are permitted to participate on sports teams outside of school during the high school sport's season. However, unless prior written approval is obtained, the participation may not conflict with school practice or contests. Students that elect to participate on an outside team and do not participate and practice with the school team throughout the designated sport's season are ineligible to represent the school in all contests that determine a county, district, regional, or State championship.

Students must present to their high school principal a certificate of permission to participate signed by their parent or guardian. Students must be examined and certificated, as specified, to the high school principal as being physically fit to participate in any try-out, practice, or contest of a school team.

Graduates of high schools are not eligible to practice with or participate in interscholastic sports teams. However, they may participate in the remaining athletic contests of that semester. Students are considered graduates when they have completed the work required for graduation and are declared graduates by the local board of education.

Competition Regulations and Policies

In general, an MPSSAA school may only compete against other schools that have similar eligibility policies. According to MPSSAA, similar policies are in place for Delaware, Pennsylvania, Virginia, West Virginia, and Washington, DC.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 759 (Senator Ready, *et al.*) - Education, Health, and Environmental Affairs.

Information Source(s): Maryland State Department of Education; Maryland Higher Education Commission; Morgan State University; University System of Maryland; Baltimore City Public Schools; Montgomery County Public Schools; Department of Legislative Services

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