

to all other varsity high school sports teams. Sports like girls volleyball, boys and girls soccer, and boys and girls lacrosse, have seasonal limitations of 12 games while the sport of basketball is being legislated to have more.

Uncertainty Related To Authorization Of State Tournament, Conference Championships, and Postponed Contests

House Bill 343 requires that “all public school athletic schedules shall comply with this section.” The section describes weekly limitations, seasonal limitations, up to four tournament games, and showcase events. House Bill 343 does not authorize a state tournament as defined in COMAR 13A.06.03.03 A(2) and 13A.06.03.07 C(2), does not authorize additional city, county, conference championships as defined in COMAR 13A.06.03.03 B(2), and does not authorize additional contests to the maximum weekly limitations for postponed contests as defined in COMAR 13A.06.03.03 B(3). House Bill 343 creates confusion as to which contests would violate state law and which contests are eligible for school and student participation.

Inconsistent Application Of First Play Dates And Inequitable Participation Opportunities

House Bill 343 allows for local county boards to approve of any number of showcase games during or outside of the sport season. COMAR 13A.06.03.03 A(6) requires 20 calendar days of practice before the first allowable play date of regular season games. House Bill 343 would allow schools to schedule any number of showcase games prior to the first allowable play date, creating an environment that is unsafe because it lacks gradual assimilation to game participation. This also creates inequitable opportunities prior to the collective start of the season; misconceptions about the tryout process; and inequities related to contest results, standings, and seeding of any allowable postseason opportunities.

Misunderstanding Of NCAA Evaluation Periods And Authorizations Of Participation

NCAA Evaluation Periods are the product of a commission that included the NCAA, National Federation of State High School Associations (NFHS), and high school athletic administrators designed to return NCAA basketball recruiting to the scholastic world. NCAA Evaluation Periods require member high schools of a state association to have NFHS and state association sanctioning. Schools who are not members of a state association have a separate process directly through the NCAA.

The Maryland State Board of Education in July 2022, at the request of the MPSSAA and 24 local educational agency Superintendents, approved adding to the interscholastic athletic regulations provisions for high school teams to participate in events outside the defined sport season. COMAR 13A.06.03.03 A(5) states, “*Local school systems may approve the participation of member schools to participate and compete in sanctioned National Federation of High Schools (NFHS) and MPSSAA events outside the defined sport season.*” The approved July 2022 amendments created opportunities for all students in interscholastic athletics to participate safely in bona-fide sanctioned events, including events for the purpose of NCAA recruitment.

The purpose of the recent change to COMAR 13A.06.03.03 was to enable local educational agency approval for the participation in NCAA evaluation periods as sanctioned by the NFHS and NCAA. The regulation change was made for all sports to ensure opportunities are available for all programs operated within local educational agencies. Currently, under these new regulations, basketball events during the 2023 NCAA June Scholastic Period are approved by the MPSSAA, and the MPSSAA is submitting applications for the Maryland Basketball Coaches Association for NFHS approval to run boys’ and girls’ basketball NCAA evaluation events.

There are two weeks of NCAA Evaluation Periods. House Bill 343 states that schools may only play in up to four tournament games outside the defined sport season. House Bill 343 could actually limit schools to only be able to play in one of the two NCAA Evaluation Periods, whereas current COMAR allows for participation in all weekends of NCAA Evaluation Periods.

Arbitrary Assessment Of Eligible Bona-Fide High School Teams For Safe And Equitable Participation

House Bill 343 allows for any number of showcase contests as well as participation against high schools with “Equivalent Qualifications.” COMAR 13A.06.03.04H(2) stipulates who eligible competitors are for the participation of high school sports. House Bill 343 leads to further confusion and arbitrary assessment of what is considered an eligible opponent.

Reduced Protections From Exploitation Of Students And Schools

House Bill 343 does not require any sanctioning for tournaments or showcases as described in COMAR 13A.06.03.09. Events without NFHS and MPSSAA sanctioning may be run by third-party, for-profit organizations and promoters that have no educational oversight. Events not sanctioned by the NFHS and MPSSAA may place public school students in events run by non-educational agencies without safeguards to ensure student safety and protection from exploitation.

Misinterpretation Of Interwoven COMAR Regulations By Legislating A Portion Of One Sport Offering

The interscholastic athletic regulations in COMAR 13A.06.03 are intertwined to ensure safe environments and fair competition that upholds the values of school-based athletics while protecting students from exploitation. Interwoven are regulations on eligibility, sport seasons, limits of participation, penalties for violation of regulations, state tournament authorization, and sanctioning of contests. The amendment process is derived from the local educational leaders for interscholastic athletics and ratified by the State Board of Education. House Bill 343 has the real potential to complicate all sections of COMAR by focusing on one sport offering.

The MPSSAA respectfully requests that you consider an unfavorable report as you deliberate **House Bill 343**. Please contact R. Andrew Warner, at 410-767-0376, or robert.warner1@maryland.gov, for any additional information.

MPSSAA COMAR and HB 343 Comparison Chart

	Current COMAR and MPSSAA	HB 343
Weekly Limitations	2 games in a week, two weeks with 3 games	2 games in a week, two weeks with 3 games
Postponed Contests	1 Postponed contest in addition to maximum allowed in weekly limitations. This allows 3 games in a week, two weeks with 4 games if postponed games are necessary.	Does not authorize additional games based on postponed contests. Specifically, states, “expect as provided in paragraph (2) of this subsection, A basketball team may not play more than two games per week. MORE RESTRICTIVE
Seasonal Limitation	<p>20 Regular Season games and 2 game designated optional tournament; or, 19 games and a 3-game designated optional tournament.</p> <p>The sport season is defined as from Nov. 15 to the last game of the State Championships. 13A.06.03.07 authorizes schools to participate in the state tournament.</p> <p>NOTE: MPSSAA Regulations reflect the number of weeks of regular season play and the ability to administer the seasonal limitations within the weekly limitations.</p> <p>Total in season games that includes city/county/conference championship and state tournament – 29 games (20 regular season, 2 designated optional tournament, 1 conference championship, and 6 state tournament)</p>	<p>20 regular season games and upwards of 4 tournament games, or 22 regular season games and no tournament.</p> <p>NOTE: HB 343 does not account for weather issues for winter sports and if the number of games can be played within the defined sport season.</p> <p>Total in season games – 24 (20 regular season and 4 tournament games).</p> <p>MORE RESTRICTIVE</p>
Tournament Authorization and Limits	MPSSAA allows any number of tournaments cases during the season if they are either declared as regular season games or	HB 343 limits schools to 4 tournament games and defines a tournament as a series of games until a winner is decided. Schools

	<p>designated as an optional tournament. Tournaments can be predetermined and round-robin events.</p> <p>NOTE: The NCAA does not allow college coaches to attend NCAA Evaluation Period events unless it has NFHS and MPSSAA Sanctioning.</p>	<p>would be limited to the number of tournaments they could play in.</p> <p>MORE RESTRICTIVE ON NUMBER OF EVENTS</p>
State Tournament	<p>MPSSAA authorizes and conducts a high school state championship for public schools (13A.06.03.07). The current tournament format is a 64-line bracketed tournament with six rounds to determine the state champion.</p>	<p>HB 343 does not authorize a state tournament, allow for six tournament games, and specifically states that, “All public-school athletic schedules for basketball shall comply with this section.”</p> <p>ELIMINATES BASKETBALL STATE CHAMPIONSHIPS</p>
City/County/Conference Championships	<p>MPSSAA authorizes one additional contest beyond the maximum allowable number may be played to determine a conference/league championship.</p>	<p>HB 343 does not authorize the additional contests, thus not allowing local educational agencies to host city/county/conference championship games.</p> <p>ELIMINATES CITY/COUNTY/CONFERENCE CHAMPIONSHIPS</p>
NCAA Evaluation Period/Out of Season Showcases and Tournaments	<p>MPSSAA authorizes local educational agencies to approve participation in sanctioned events by the NFHS and MPSSAA. All NCAA events are sanctioned by the NFHS. Showcases and tournament games are unlimited if they are sanctioned by NFHS and approved by LEA.</p>	<p>HB 343 authorizes unlimited showcase games and 4 tournament games. It is unclear if 4 tournament games are included with regular season authorization. Does not require any educational entity oversight of events.</p> <p>MORE RESTRICTIVE ON NUMBER OF EVENTS</p>
Eligible Opponents	<p>COMAR allows public schools to compete against high school teams that are members of a state association or are approved members of a state association to</p>	<p>HB 343 states that a team from outside the state has equivalent qualifications. This regulation is arbitrary on what the standard of equivalent would mean as it relates to age restrictions,</p>

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	play against that association’s member schools.	enrollment/attendance, residency, maximum participation seasons, transfer rules, academic standards, pre-participation physicals, amateurism, etc.
Out of season practice	COMAR does not allow for out-of-season practice outside the defined sport season unless schools are playing in approved sanctioned events.	HB 343 allows unlimited showcase participation outside the defined sport season but makes no provisions for out-of-season practice. COMAR regulations would limit schools to no practice yet contest participation under state law. This could lead to health and safety concerns for student-athletes.
Penalties	Failure to comply with COMAR 13A.06.03 requires forfeiture of games in which the violation occurred. This ensures compliance with season and weekly limitations, out-of-season practice, and sets a fair and equitable standard for statewide participation.	HB 343 does not provide any provisions if a school inadvertently or intentionally violates state law related to contests played. Where do violations get referred, who adjudicates, and who imposes penalties.
Amendments	MPSSAA and COMAR regulations are amended by the 24 local educational agencies and the State Board. Member schools, local superintendent of schools, MPSSAA Committee, or the MPSSAA Executive Director may submit amendments to the regulations, which need approval of the 24 LEAs and State Board of Education.	HB 343 removes control of the local educational agencies and the state board of education. Amendments would require a change in state law through the General Assembly.