

HOUSE BILL 1185

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By: **Delegate Kipke**

Introduced and read first time: February 8, 2021

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public and Nonpublic Schools – Interscholastic Athletics Eligibility –**
3 **Reclassification of Student Athletes**

4 FOR the purpose of requiring the State Department of Education to allow certain student
5 athletes who are public high school seniors to be reclassified as high school juniors
6 to provide an opportunity for participation in interscholastic athletics for the purpose
7 of recruitment by a certain collegiate athletic association during a certain school
8 year; authorizing a certain reclassified student athlete to participate in
9 interscholastic athletics at the public high school in which the student is enrolled;
10 requiring a certain reclassified student athlete to meet certain eligibility
11 requirements; authorizing certain nonpublic high schools to allow certain student
12 athletes who are high school seniors to be reclassified as high school juniors to
13 provide an opportunity for participation in interscholastic athletics for the purpose
14 of recruitment by a certain collegiate athletic association during a certain school
15 year; defining certain terms; providing for the termination of this Act; and generally
16 relating to the reclassification of student athletes and interscholastic athletics
17 eligibility.

18 Preamble

19 WHEREAS, Student athletes were largely unable to practice or play school sports
20 during the Spring 2020, Fall 2020, and Winter 2021 sports seasons due to the COVID–19
21 pandemic; and

22 WHEREAS, Most college athletic recruitment is done during a student athlete’s
23 junior year in high school; and

24 WHEREAS, Student athletes have committed to many years of practice and
25 instruction for the purpose of competing for college athletic recruitment; and

26 WHEREAS, Participation in school sports and college athletic recruitment is a

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 pathway to success and lifelong economic empowerment; and

2 WHEREAS, The National Collegiate Athletic Association recruits for college based
3 on the performance of juniors in high school; and

4 WHEREAS, This Act seeks to restore the opportunity for students who were high
5 school juniors during the 2020–2021 school year to be considered for college athletic
6 recruitment because these student athletes missed participating in a crucial sports year
7 due to the COVID–19 pandemic; now, therefore,

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
9 That:

10 (a) (1) In this section the following words have the meanings indicated.

11 (2) “Classification” means the grade–level classification of a high school
12 student, including freshman, sophomore, junior, and senior.

13 (3) “Nonpublic school” means a noncollegiate education institution that
14 offers a secondary level educational program that:

15 (i) is not a public school; and

16 (ii) holds a certificate of approval issued by the State Board of
17 Education.

18 (4) “Reclassification” means classifying a student athlete who would be in
19 the 12th grade during the 2021–2022 school year as an 11th grade student, or junior, within
20 an athletic association in the State.

21 (5) “Student athlete” means a student who:

22 (i) was eligible to participate in an interscholastic sport at the high
23 school level as a junior during the 2020–2021 school year;

24 (ii) is a senior during the 2021–2022 school year; and

25 (iii) is enrolled at a high school that is a member of:

26 1. for a public school student, the Maryland Public
27 Secondary Schools Athletic Association; and

28 2. for a nonpublic school student:

29 A. the Maryland Interscholastic Athletic Association; or

30 B. the Interscholastic Athletic Association of Maryland.

1 (b) (1) The State Department of Education shall allow a student athlete in a
2 public high school to be reclassified as a junior only to provide an opportunity for the
3 student athlete to participate in interscholastic athletics as a junior for the purpose of
4 recruitment by the National Collegiate Athletic Association during the 2021–2022 school
5 year.

6 (2) A student athlete in a public high school who is reclassified under
7 paragraph (1) of this subsection:

8 (i) may only participate in an interscholastic athletic program in the
9 public high school in which the student athlete is enrolled; and

10 (ii) shall otherwise meet requirements for student eligibility for
11 participation in interscholastic athletics at the high school level under COMAR
12 13A.06.03.02.

13 (c) A nonpublic high school may allow a student athlete to be reclassified as a
14 junior only to provide an opportunity for the student athlete to participate in interscholastic
15 athletics as a junior for the purpose of recruitment by the National Collegiate Athletic
16 Association during the 2021–2022 school year.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2021. It shall remain effective for a period of 1 year and, at the end of June 30, 2022, this
19 Act, with no further action required by the General Assembly, shall be abrogated and of no
20 further force and effect.