

**Department of Legislative Services**  
Maryland General Assembly  
2024 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Bill 851 (Senators Corderman and McKay)  
Education, Energy, and the Environment

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**Public Schools – Interscholastic Athletics – Student Eligibility Waiver and School Classification**

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This bill authorizes a local board of education to waive the eligibility requirement for high school interscholastic athletics that the student be enrolled at and attend a member school if (1) the student attends a public school in the county that is not the student’s zoned school, (2) the public school the student attends does not have an interscholastic athletics program, and (3) the student meets all other eligibility requirements established by the local board of education and the Maryland Public Secondary Schools Athletic Association (MPSSAA). For purposes of determining the enrollment-based classification of member schools for athletics contests, the local superintendent of schools must report to MPSSAA as the actual enrollment of a member school, the actual enrollment of grades 9 through 11 as of September 30 of each even-numbered year plus the actual number of students authorized to participate at the member school under the bill. **The bill takes effect July 1, 2024.**

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**Fiscal Summary**

**State Effect:** The bill does not materially affect State operations or finances.

**Local Effect:** None. The bill authorizes, but does not require, a local board of education to waive specified interscholastic athletics requirements. To the extent a local board uses its waiver authority, local finances are not materially affected.

**Small Business Effect:** None.

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## Analysis

**Current Law:** State regulations under the Maryland State Department of Education govern the athletic programs for all high school students in Maryland public secondary schools, which are members of MPSSAA. Local school systems may adopt rules governing their athletic programs that are more restrictive than those of MPSSAA.

Students must be officially registered and attending the member MPSSAA school they are authorized to attend under regulations of the local school system. They may represent only the school in which they are registered and at which it is anticipated they will complete their graduation requirements.

For the purpose of parity in competition in meets and tournaments administered by MPSSAA, member schools are divided into classifications based on enrollment. If, in this calculation, two or more schools with equal enrollments fall between two classifications, they are placed in the lower classification. Each local superintendent of schools must submit to MPSSAA a report on the actual school enrollment of students in grades 9 through 11 in each of the member MPSSAA schools as of September 30, in each even-numbered year. The MPSSAA Executive Director and Classification Committee must present a recommendation for classification of member schools for each MPSSAA-administered sport to the MPSSAA Board of Control for adoption. Classification is determined every two years based on the September 30 enrollment of the previous year and remains in effect for two years.

A new member MPSSAA school that opens or a member school whose enrollment is significantly changed by growth or consolidation during the two-year period is placed in the proper classification by the Classification Committee. When a member MPSSAA school does not have all three grades included in the enrollment figures upon which the classification is based in the even-numbered year, but will have all three grades in the following odd-numbered year when classification becomes effective, the enrollment figure includes the existing grades and average of the current class sizes applied to each projected grade.

**Local Fiscal Effect:** The bill authorizes, but does not require, a local board of education to waive specified interscholastic athletics requirements. Because any such waiver is at the discretion of each local board, any local administrative costs or costs related to transportation of students to and from athletic practices as a result of a waiver are voluntary, and thus avoidable.

## **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** HB 971 (Delegates Grossman and Wims) - Ways and Means.

**Information Source(s):** Anne Arundel County Public Schools; Maryland State Department of Education; Department of Legislative Services

**Fiscal Note History:** First Reader - February 15, 2024  
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