

BILL:	House Bill 1185	DATE:	March 3, 2021
SUBJECT:	Public and Nonpublic Schools - Interscholastic Athletics Eligibility - Reclassification of Student Athletes	COMMITTEE:	Ways and Means
POSITION:	Information Only		
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EXPLANATION:

The Maryland State Department of Education (MSDE) and the Maryland Public Secondary Schools Athletic Association (MPSSAA) is providing information for consideration regarding House Bill (HB) 1185, Public and Nonpublic Schools - Interscholastic Athletics Eligibility - Reclassification of Student Athletes, which would require the MSDE to allow student-athletes to reclassify as a high school junior for the 2021-22 academic year in order to be eligible for recruitment for collegiate athletic participation.

HB1185 allows for student-athletes whose anticipated graduation date is Spring 2022 to be reclassified as a junior during the 2021-22 academic year, delaying their anticipated graduation date to Spring 2023. Interscholastic athletics in Maryland are governed by regulations adopted by the Maryland State Board of Education. The eligibility criterion cited in COMAR 13A.06.03.02 requires students who represent schools in interscholastic athletic programs to be officially registered, enrolled, and attending the school. These MPSSAA participation regulations do not address reclassification of students. Student-athletes who do repeat a grade are in jeopardy of exhausting their eligibility prior to their senior year or graduation. Student-athletes, under the regulations found in COMAR 13A.06.03.02, exhaust their eligibility by participating in four seasons in any one sport, turning 19-years of age or older by August 31st of the upcoming academic year, or have graduated high school. Providing an extra year of participation would create other challenges, especially scheduling and sanctioning of contests as all bordering states to Maryland are not allowed to participate against any schools with five-season participants.

Reclassifying students is an issue of each local school system as it relates to the placement of students. COMAR 13A.03.02.08 states that each local school system shall recognize and accept any and all credits a student earned toward graduation, and shall develop a written policy on grading and reporting, which includes grade promotion. A common practice of school systems is to schedule students "toward graduation" based upon the credits earned. Moreover, the Maryland Student Record Manual notes that students move to the next grade level by means of promotion. For most local school

House Bill 1185/ Public and Nonpublic Schools - Interscholastic Athletics Eligibility - Reclassification of Student Athletes Ways and Means Committee March 3, 2021

systems, grade promotion is triggered by the number of accumulated credits toward graduation. Upon passing a course and earning credit in the course, the earned credit contributes toward the number of credits needed for graduation. Upon completion of all graduation requirements, the student is graduated.

HB1185 could potentially have an effect on the National Collegiate Athletic Association (NCAA) academic eligibility and the amateurism certification of potential intercollegiate student-athletes. The NCAA Division I requires 16 core-course units to be completed within four years/eight semesters from the initial start of a student's ninth grade year. In addition, 10 of the required 16 units must be completed before starting the seventh semester (resulting in a max of six core units in grade 12). As a result, repeating a year could detrimentally impact a student's ability to meet Division I core-course requirements. Division II and III have similar academic requirements. The NCAA has developed a NCAA Eligibility Center COVID-19 Response FAQ information document related to these academic eligibility requirements for Divisions I, II, and III.

NCAA legislation permits students to participate one year after their expected high school graduation date (based on four years after the initial start of a student's ninth grade year) without impacting their NCAA eligibility. The only shorter timeframe is Division I tennis, which permits participation for six months after the expected graduation date. As a result, if students repeat a year of high school, they should be mindful of the potential impact on their amateurism certification for seasons of eligibility.

According to the NCAA recruiting fact sheet, only two percent of high school athletes receive a college sport scholarship with only seven percent of high school athletes participating in intercollegiate athletics. HB1185 allows for the reclassification of students as juniors, thus exponentially increasing the number of Spring 2023 graduates competing for limited collegiate participation sports, especially in sports with limited rosters such as basketball, baseball, and softball. In addition, increased collegiate opportunities in the Spring of 2022 as a result of the NCAA providing one additional year of eligibility in 2021-22, will be afforded to students who remain on track and graduate in Spring 2022.

HB1185 has the potential to have an effect on the juniors class seeking similar collegiate opportunities during the 2022-2023 academic year. During that year, senior classes will consist of double the amount of senior student-athletes, which will displace numerous junior student-athletes from participation opportunities on interscholastic athletic teams. Providing these accommodations for one class of students, escalates into multiple year challenges for student-athletes seeking collegiate participation opportunities.

We respectfully request that you consider this information as you deliberate House Bill 1185. For further information, please contact Zachary Hands, at 410-767-0504, or Zachary.hands1@maryland.gov.