

THE CONNECTICUT ASSOCIATION OF SCHOOLS
The Fifty-Eighth Annual Meeting
May 13, 2010

PROPOSED CHANGE TO THE CIAC BYLAWS
(To be voted on by the CIAC membership only)

CHANGE #1: ARTICLE III (Membership) / SECTION B

Explanation of Change: Article III, Section B outlines the responsibilities that a principal must accept as a condition of his/her school's membership in CIAC. The proposed changes speak to a member school principal's responsibilities concerning payment of dues and fees.

Proposed language (**changes in bold italics**):

Article III (Membership), Section B (Authority and Responsibility of Member Schools Regarding CIAC By-laws and Regulations)

As the voting representative to the association and as a condition of membership, member school principals will be responsible for the following:

1. Knowing and adhering to the rules and regulations of CIAC.
2. Requiring appropriate school personnel to attend CIAC rules and regulations workshops on an annual basis.
3. Educating athletic director, guidance faculty and other appropriate faculty and staff on the rules and regulations of CIAC.
4. Requiring mandatory meetings at the start of each season with coaches, student-athletes and their parents (guardian) to review CIAC rules and regulations.
5. Developing a written athletic handbook and contract for all student-athletes which delineates CIAC rules of eligibility and is signed by the student-athlete and parent prior to participation.
6. Requiring all members of the certified coaching staff to attend pre-season game rules interpretation meetings in their sport at the local, regional or state level.
7. Reporting all violations of CIAC rules and regulations in a timely manner.
8. Establishing a protocol for processing eligibility questions from student-athletes, parents, and coaches within their school.
9. Requiring all newly appointed athletic directors to attend the CIAC summer workshop on CIAC rules and regulations.
10. ***Meeting financial obligations for CIAC dues by September 15 annually.***
11. ***Filing a signed annual membership agreement by September 15.***
12. ***Meeting financial obligations for all CIAC tournament fees by the stated deadlines.***
13. ***Meeting all financial obligations to game officials within thirty (30) days of the event.***

Failure to comply with all of the above responsibilities may result in action by the CIAC Board of Control including termination of membership, removal from CIAC tournaments, or other appropriate actions as determined by the Board. Failure to meet financial obligations to game officials within sixty (60) days of the event will result in loss of game officials unless otherwise directed by the CIAC Board of Control.

Rationale for change:

The non-payment of dues and fees by some member schools has been a growing concern. At present, CIAC by-laws do not address this issue. Therefore, the board is proposing additions to the bylaws which establish expectations and delineate the resulting consequences for non-compliance.

CHANGE #2: ARTICLE III (Membership) / SECTIONS C.3, C.4, and C.5

Explanation of Change: The proposed changes affect the due process procedures that will be followed in instances where a member school wishes to appeal a decision rendered by the CIAC Board of Control in matters concerning the violation of its policies, provisions and regulations. Most of the proposed language is being added simply to bring the CIAC Bylaws in line with current practice. However, some substantive changes are being proposed and include: (1) a member school that wishes to appeal a decision of the CIAC Board of Control must submit such request in writing; (2) the CIAC board may, but will not be required to, grant an appeals hearing in instances where a violation has been self-reported by a member school; and, (3) a member school will not be allowed to withdraw a self-reported violation after such time as it has been notified of the sanction imposed by the CIAC Board of Control.

Proposed language (**changes in bold italics**):

ARTICLE III, SECTION C (Violation of By-laws, Regulations, Rules of Standards of Courtesy, Fair Play and Sportsmanship, Code of Ethics or Handbook Provisions)

C.3. (Formerly C.4.)

There shall be a hearing before the CIAC Board of Control, ***if requested in writing by the charging party or by the party charged or against which a protest has been made***, at which the charging party shall have an opportunity to present the facts of its charge or protest and the party charged or against which a protest has been made shall have an opportunity to present its response to the charge or protest. ***The Board of Control shall not be required to hold a hearing, however, in the case of a self-reported violation. The Board of Control may in its sole discretion provide a hearing to a member school, if requested in writing by the member school's principal, with respect to any penalty, fine or other sanction, assessed by the Board of Control without a hearing in response to the member school's self-reported violation, if a hearing is requested within fourteen (14) days after distribution of the Board of Control's decision assessing the penalty, fine or other sanction. The Board of Control may in its sole discretion elect to proceed with a hearing, (1) even if not requested by the charging party or by the party charged or against which a protest has been made and (2) even in the case of a self-reported violation. The Board of Control may in its sole discretion permit a member school to withdraw a self-reported violation prior to the imposition of a penalty, fine or other sanction, if the member school can show a good and sufficient reason for the self-reported violation to be withdrawn. A member school may not withdraw a self-reported violation once a penalty, fine or other sanction has been imposed by the Board of Control.***

C.4. (Formerly C.3.)

The executive director, upon notification from the chairperson, shall give due notice of the time and place of *any* hearing to all schools and/or persons concerned.

C.5. (Formerly C.5.)

~~A member school or other person against which or against whom a charge or protest has been made who is dissatisfied with a decision of the Board of Control, with the exception of eligibility cases, may within fourteen (14) days after distribution of the written decision, appeal in writing to the Board of Directors of CAS whose decision shall be final and binding on the parties.~~

Decisions of the Board of Control made under Section C. are final, except that the CAS Board of Directors may review such decisions made by the Board of Control under Section C. as it may determine in its sole and exclusive discretion warrant its attention and review as a result of compelling reasons. If dissatisfied with the Board of Control's decision, a member school or other person against which or whom a charge or protest has been made may within fourteen (14) days after distribution of the written decision request in writing the CAS Board of Directors to exercise its discretion and review the Board of Control's decision. The request shall state the compelling reasons warranting review, the reasons for dissatisfaction with the Board of Control's decision and the relief sought. The CAS Board's decision shall be final and binding upon all parties.

Rationale for change:

The proposed revisions are needed to clarify the due process procedures for appeals of decisions made by the CIAC Board of Control in matters concerning violations of its rules and regulations. Furthermore, the revisions stipulate in writing that neither the CIAC Board of Control nor the CAS Board of Directors is required to grant an appeals hearing to an individual or school against whom/which a sanction has been levied. This stipulation is in keeping with current and past practice.

CHANGE #3: ARTICLE IX (Rules of Eligibility) / SECTION ILC #6

Explanation of Change: The proposed addition to exception #6 of Section ILC (a/k/a the Transfer Rule) applies to a student-athlete who lives in a district without a high school and where the town (school district) “tuitions out” its students to other communities via a contractual arrangement. The addition would allow a student-athlete to transfer without loss of eligibility from one member school to another when a new tuition option is offered to all the students in the district and only when the athlete transfers in the first year of the new option. Additionally, the exception will only apply if the transfer is made at the start of the school year. A transfer at any other time will be subject to the conditions of the Transfer Rule.

Proposed language (**changes in bold italics**):

ARTICLE IX, SECTION II (STUDENT ELIGIBILITY)

C. (6) Student who transfers to another school as the result of a reorganization, consolidation or annexation of his/her school in the district where he/she resides. ***In school districts without a high school that tuition out their students, when a new option becomes available to all students in the district, in the first year only of the new option can a student transfer without loss of eligibility providing the transfer occurs at the start of the school year. Transfers during the school year will be subject to the transfer rule.***

Rationale for change:

The proposed revision is intended to grant eligibility to students who wish to take advantage of a new school choice option and who are not transferring for athletic reasons yet who do not meet any of the existing criteria for an exception.

CHANGE #4: ARTICLE IX (Rules of Eligibility) / SECTION ILC #19

Explanation of Change: Exception #19 applies to athletes who transfer without a change of legal residence, who do not qualify for one of the exceptions to the transfer rule and who have a signed transfer waiver form attesting that the transfer was not for athletic reasons. The signed transfer waiver form reduces the “wait” period for a student who transfers in grades 10-12 from 365 days to 30 days in the first sport that he/she played at the sending school. The proposed revision to the 19th exception changes the parameters of the “wait” period from calendar days to number of contests.

Proposed language (**changes in bold italics**):

ARTICLE IX (Rules of Eligibility) / SECTION II.C #19

(Delete all in [] – changes in **bold italics**)

(19) A student in grades 10, 11, or 12 who does not qualify for the transfer rule requirements 1 through 18 will be granted eligibility by application to the CIAC Eligibility Committee if the following are satisfactorily completed: After a period of ~~{30 calendar days from the date of the first allowable play date}~~ **time equal to at least 50% of the school's varsity schedule** following date of enrollment (first day of attending classes) in the receiving school for the affected sport, or from the date of the first school contest after the date of enrollment, if entry is after the first allowable play date, eligibility will be granted to a student who has participated (i.e. actually played in a CIAC-approved contest) at the JV or varsity level of play at any time during the present or preceding year at the sending school, who does not otherwise qualify for any of the above exceptions and when both the sending and receiving school principals sign a CIAC transfer waiver form certifying to the best of their knowledge that the student has not transferred for athletic reasons. * If the season ends ** before ~~{the thirty (30) calendar days have}~~ **the athlete sits a period of time equal to at least 50% of the varsity schedule has** been completed, any remaining days of ineligibility shall be satisfied from the first allowable play date of the present school's regular season in that sport during the next school year unless he/she is a multi-sport athlete. In these cases, the remaining portion of the ~~{30 calendar days}~~ **games** will be served successively. To qualify for the provisions of this section, a student must be a member of the team during the season in which the ~~{30 day}~~ **50%** wait period is applied.

* A transfer for athletic reasons is defined as but not limited to:

- a.. Seeking a change to a new school due to inducement or recruitment to play a sport.
- b. Seeking a superior athletic team.
- c. Seeking relief due to a conflict with the philosophy or action of an administrator, teacher or coach relating to sports.
- d. Seeking a team consistent with the student's athletic abilities.
- e. Seeking a means to nullify punitive action by the sending school for athletic reasons.
- f. Seeking to escape academic or other ineligibility at the sending school due to the school's academic standards.

** Season ends on the last date to count for tournament play. Tournament play does not count toward ~~{the 30 calendar days}~~ **the completion of 50% of the schedule.**

Rationale for change:

CIAC staff has been working with CAAD to review exception #19 to the Transfer Rule, commonly known as the "30 day wait period." It is felt that the present rule is inequitable for athletes who play in the fall and/or spring or in sports that have a limited season schedule such as cross country, indoor track, and gymnastics. The thirty day wait period has a significant impact on these seasons and sports and athletes often miss more than half of their season. Consequently, the board is proposing changes in CIAC by-law Rules of Eligibility, Article IX, Section II, Student Eligibility C-19 from a thirty calendar day wait period to a time equal to at least fifty percent (50%) of the schools varsity schedule. This will equalize the wait period for all athletes who transfer in all sports regardless of season or length of schedule.