



To: NJSIAA Executive Committee

From: Colleen Maguire, Executive Director

Date: May 8, 2024

RE: Bylaws Article X – Penalties Proposal

---

### **Proposal**

#### *Section 1:*

NJSIAA staff recommend updates to Article X – Penalties – Section 1 to equitably treat the use of an ineligible student across all sports. The proposal below updates the forfeiture penalties for sports that had previously indentified as an individual sport – such as swimming and track and field – to be the same as a team sport – such as football and basketball. The proposal also more clearly defines an individual tournament as one in which no team score is calculated nor team champion declared.

#### *Section 4 – Executive Director Imposed Fines:*

At its April 10, 2024 meeting, the Finance Committee approved a \$200.00 fine for any coach who receives a disqualification from an official – this represents an increase from the previously approved fine of \$100.00. In addition, the Finance Committee has approved the following fines that may be imposed by NJSIAA staff as needed – these are consistent with amounts previously approved in prior years:

- Failure to meet tournament entry deadlines - \$150.00
- Tournament entry on day of event - \$150.00
- Failure to timely report results as required by tournament regulations - \$150.00
- Tournament withdrawal on or after seeding date - \$150.00
- Tournament withdrawal, or no-show, on or after tournament start date - \$300.00 \*

\*School may also be disqualified from participating in the next year’s state tournament.

All other references to fines and/or late fees within the NJSIAA Handbook will be deleted and considered null and void upon approval of this proposal.

These proposed updates are included below – additions are underlined, and deletions are stricken.

## Article X PENALTIES

PENALTIES SHALL BE ASSESSED BY THE EXECUTIVE COMMITTEE, CONTROVERSIES COMMITTEE, OR EXECUTIVE DIRECTOR FOR INFRACTIONS OF THE ASSOCIATION CONSTITUTION, BYLAWS, ~~OR RULES AND REGULATIONS,~~ AND TOURNAMENT REGULATIONS, AND SHALL INCLUDE BUT NOT BE LIMITED TO:

### **Section 1**

To ensure that member schools make certain that all Student-Athletes comply with eligibility standards, or that they obtain appropriate waivers where necessary prior to competition, the following forfeiture penalties will be imposed: (1) If the ineligible student participates as a member of a team, the team will forfeit any contest in which the ineligible student participated, regardless of how long the ineligible student participated in the contest. (2) If the ineligible student participates as an individual, in an event or tournament at which no team score is calculated or team champion declared, the ineligible student will forfeit any contest won. ~~The following forfeiture penalties will be imposed. If the ineligible student participated in a TEAM SPORT, then that team will forfeit any games that it has won, irrespective of how long the ineligible student participated in that contest. This is because it is impossible to calculate the impact made on a team contest by one or more individual players. In cases where the ineligible player participated in an INDIVIDUAL SPORT, then the team will only forfeit the events in which that player participated, since the impact of individual players can be calculated with some certainty.~~ These penalties are mandatory and are not subject to appeal.

*CL 1: Although the penalty of forfeiture for the use of an ineligible player is mandatory and not appealable to the Executive Committee, the school may appeal the determination of eligibility.*

### **Section 2**

#### **Controversies Committee Imposed Fines:**

After conducting a hearing and subject to an appeal to the Executive Committee, as set forth in Article XIII of the Bylaws, the Controversies Committee may impose the penalties set forth in this Section.

- A. Probation – A probationary period not to exceed two years may be imposed, which may include a requirement that a member school submit appropriate reports to the Association, certifying that the violations are not continuing. The Controversies Committee may determine that an offending school may not participate in championship contests in the sport in which the violation occurred.
- B. Forfeit of Games – Under such terms and conditions as the Controversies Committee shall provide.
- C. Forfeit of Championship Rights – A school may be required to forfeit championship rights as determined by the Controversies Committee.
- D. Suspension of Coaches and Players – In addition to any disqualifications imposed for unsportsmanlike and flagrant verbal or physical misconduct during an interscholastic contest a coach or player may be suspended for a violation of the Constitution and Bylaws or Rules of this Association, or for violations of the rules of good sportsmanship or the rules of a particular game.
- E. Fines – Member schools, Principals, Athletic Directors, and/or coaches may be fined by the Controversies Committee in an amount not to exceed \$5,000.00 per party. Member schools may also be required to pay any property damages caused by their improper behavior and for the transcript and court stenographer costs of the Controversies Committee hearing, which would be payable within sixty (60) days.

*\*This amendment approved by letter from Commissioner of Education dated July 6, 1987 and published in the September, 1987 NJSIAA Bulletin.*

### **Section 3**

#### **Major Fines and Expulsion:**

The Controversies Committee may recommend for approval by the Executive Committee, the imposition of major fines against member schools, principals, athletic directors and coaches exceeding \$5,000.00 per party for serious violations of the Bylaws or Rules of the Association and/or the expulsion of member schools and/or coaches for serious violations of the Constitution, Bylaws and Rules of the Association after a hearing or review on appeal by the Executive Committee, pursuant to Article XIII of the Bylaws.

### **Section 4**

#### **Executive Director Imposed Fines:**

- A. The Executive Director shall have the authority to impose fines for violations of tournament regulations, including but not limited to: missing deadlines for entering state tournaments, withdrawing from state tournaments, failing to enter participants prior to an event, and failing to timely report scores or results as required. All such fines shall be set forth on a violations schedule that is approved annually by the Executive Committee. No such fine shall exceed \$300. There shall be no appeal from the Executive Director's imposition of a fine under this section.
- B. Any coach disqualified by an official shall be fined \$200. There shall be no appeal from the Executive Director's imposition of a fine under this section.