

PROPOSED BYLAWS FOR THE LEGISLATIVE COUNCIL

April 20, 2017

ADMINISTRATIVE PROPOSALS

(requires majority vote of those voting)

ADM 1 – COOPERATIVE PROGRAMS – STATE LAW COMPLIANCE

(Board of Directors)

AMEND THE CONSTITUTION AND BYLAWS to read:

Amend Rules by adding the following to bylaw 1790 to read:

Page 62

yes no

1790. COOPERATIVE PROGRAMS

1790.2 The Colorado Revised Statutes (22-32-116.5) dictate the manner in which a student who is attending a school without a program may participate at another school (refer to state law for complete information).

In order to remain in compliance with state statutes, a school may NOT:

- a. Dictate to which school a student must go if his/her school does not offer a program
- b. Provide transportation to that school for the student(s)
- c. Make an informal agreement between schools in regard to which school will offer a program and which will not
- d. Provide the receiving school with any funds, equipment, facilities, etc., for the student(s) going to play at that school
- e. Provide any physical support except to provide transcripts for eligibility checks

Schools violating any portion of this by-law shall have the related sports program placed on a minimum of restriction.

Rationale The intent of CRS 22-32-116.5 is to provide opportunities for students who are at schools that cannot offer specific athletic programs. Its language is clear that where a student may play shall be the decision of the student and student's parents, not the school that is sending the student. Small school athletics face enough challenges without schools using the law to gain a competitive advantage by dictation where students play sports and providing financial and transportation support for that student. That is the responsibility of the parents.

Pros Helps clarify the intentions of CRS 22-32-116.5 and its intent
Maintains the integrity of the state statutes and the application that must be followed.
Promote more formal cooperative programs among CHSAA schools.

Cons May create changes in the manner in which schools are currently applying this law.

AMEND THE CONSTITUTION AND BYLAWS to read:

Amend Rules by adding the following to bylaw 1870 to read:

Page 72

yes no

1870. INTERNATIONAL STUDENTS

1870.1 INTERNATIONAL STUDENT DEFINED – An international student is defined as any student who is not a citizen of the United States. This definition shall not apply to students who have permanent non-immigrant status in the United States, as defined by a student who holds an F-1 non-immigrant visa.

For purposes of clarification, only a student who holds a F-1 or J-1 visa, or has been classified by the Department of Homeland Security and holds documentation identifying the student as a "Refugee," shall be considered for athletic eligibility. Note: temporary status of any kind shall not be acceptable as replacement for the three categories noted.

A student holding a F-1 visa shall be treated as a regular non-international student; a student with a J-1 visa is subject to the limitations of the exchange program by-law outlined below; a student who has been identified by the Department of Homeland Security as a "Refugee" shall be treated as a regular non-international student.

1870.2 CONDITIONS OF VARSITY AND SUB-VARSITY ELIGIBILITY – He/She shall be eligible provided an International Student Waiver has been approved and filed in the CHSAA office when the following conditions have been met:

- Has not enrolled in a Colorado high school in order to participate in any scholastic athletic program.
- Has not been recruited to play interscholastic athletics in violation of Article 1900.2 by any high school or college representative.
- Is not a graduate in his/her own country, nor has attended the time equivalent of an American K-12 program.
- Has not attended high school in another state.
- Is in compliance with all other CHSAA eligibility rules.
- Has on file a completed physical examination in compliance with Bylaw 1780.1.
- Has not participated at your school or any other Colorado school or U.S. school.

a. For international students on a Council on Standards for International Educational Travel Program or other foreign exchange program: CHSAA approval.

b. For international students in NO program: league and CHSAA approval.

1870.3 LIMITED PERIOD OF VARSITY ELIGIBILITY – ~~Students on a J-1 visa~~ ~~An international student~~ shall have varsity eligibility for no more than three consecutive sports seasons, beginning with his or her first varsity season.

However, no foreign student is eligible if he/she is a HIGH SCHOOL graduate in his/her own country OR has attended the time equivalent of an American K-12 program OR has attended high school in another state. INTERNATIONAL STUDENTS SHALL BE SUBJECT TO ALL OTHER RULES OF ELIGIBILITY.

1870.4 PRESUMPTION OF RECRUITING – An international student who moves to Colorado and enrolls in a member school with the prior knowledge and assistance of a “school representative,” as defined in Article 1900.2, shall be presumed to have been recruited in the absence of clear and convincing evidence to the contrary.

- a. An international student who moves to Colorado and enrolls in a member school with the prior knowledge and assistance of a club sport or other outside sport coach, group or organization shall not have high school athletic eligibility in that sport.

1870.5 EXCEPTION FOR STUDENTS RESIDING WITH PARENT(S) – This rule does not apply to an INTERNATIONAL student who is residing in Colorado with his/her parent(s).

Rationale The added language is designed to clarify the status of F-1, J-1 and “Refugee” students and does not change the manner in which they are treated under current by-laws. It also clarifies that international students who come for the purpose of playing a specific sport shall not have eligibility in that sport, aligning the rule with the athletically-motivated by-law.

Pros Helps clarify visa questions for schools.
Maintains the integrity of the “moving for athletic purposes” by-law.
Maintains the designation intended for random placement of foreign students.
Keeps CHSAA rules in line with original intent of allowing the experience of participation at an American high school
Ensures the student is here for educational purposes.

Cons Push back from outside teams because it will hamper recruiting efforts for non-school programs.
May create more students seeking undocumented status versus the visa option

AMEND THE CONSTITUTION AND BYLAWS to read:

Amend Rules by adding the following to bylaw 2760 to read:

Page 107

yes no

2760. OFFICIALS' CONDUCT

Any registered official may be suspended and/or banned from the CHSAA registered list of officials for a specified amount of time (including a lifetime ban) by recommendation of the officials' organizations' governing board **or CHSAA Commissioner** when:

1. It has been shown that the official is guilty of unethical conduct; or
2. The official refuses to promptly file reports requested by the Commissioner's office and such reports are deemed pertinent to the conduct of coach, contestant, official or school competing under the jurisdiction of the CHSAA; or
3. If the official, as an adult, has been convicted of or has pleaded "guilty" or "no contest" to any criminal charge due to conduct that adversely affects the ability or appropriateness of the official to perform officiating duties in interscholastic athletics or activities; or
4. If the official has engaged in any illegal, unethical, or immoral conduct that adversely affects the ability or appropriateness of the official to perform officiating duties in interscholastic athletics or activities; or
5. It is deemed that the official's conduct is detrimental to interscholastic athletics and activities.

CHSAA game officials are expected to abide by the code of ethics for their respective associations, including proper, accepted social conduct. Violations of this Bylaw will be investigated and, if substantiated, the official may be suspended from the CHSAA registered list of officials for a specific period.

Any official who has been suspended or expelled by the CHSAA may appeal the action by an appearance before the CHSAA Board of Directors. The decision of the CHSAA Board of Directors shall be final.

Rationale There is a need for CHSAA, as well as the officials' organizations to be able to address divisive and disruptive officials' actions.

Pros Gives CHSAA authority over an official who should not be registered, yet may be in a sports officials' organization with a Constitution that does not allow for this action, or political issues within the organization limit that group's ability to make this decision.

Gives CHSAA authority to keep undesirable officials from registering.

Cons None

ATHLETIC PROPOSALS

(requires majority vote for approval unless otherwise noted)

ATH 1 – GAME CONTRACTS

(Board of Directors)

AMEND THE CONSTITUTION AND BYLAWS to read:

Amend Rules by deleting and adding the following to 2860 to read:

Page 110

yes no

2860. GAME CONTRACTS

2860.1 Member schools ~~are expected to~~ shall honor game contracts entered into in good faith, unless a reasonable accommodation between the competing schools is reached or the contest is cancelled due to an act of God which gives league/conference rescheduled contests a priority over non-conference games. Contracts ~~should~~ must be written, must be specific with respect to the obligations of each party, and ~~should be~~ must be signed by the principal or athletic director of each of the contracting schools.

2860.11 CHANGE OF ADMINISTRATION AND/OR COACHING STAFF - A change in the administration and/or coaching staff within a school does not abrogate the obligation of a school with respect to its responsibility under the contract. In cases where a second contract is signed, if it is in conflict with the terms of an earlier contract, properly drawn and executed, the second contract shall be deemed null and void.

2860.12 PENALTY – Schools which violate this regulation will be immediately placed on a ~~minimum of probation until the school has provided the Commissioner with a detailed report of the incident(s) and administrative procedures have been put in place to ensure no repeat of the violation. and a \$500 reimbursement must be paid to the offended school within 45 days.~~ A second violation of this regulation will result in a school or program being placed on restriction, ~~for a minimum of one season from state qualifying competition and a reimbursement of \$1,000 must be paid to the offended school. Subsequent violations will result in a mandatory meeting with the CHSAA office with the penalty to be determined. If you do not pay the offended school within 45 days you will be placed on restriction with the CHSAA based on Bylaw 2330.1, conduct that the Commissioner deems detrimental to the mission of the Colorado High School Activities Association. Penalty is non-appealable.~~

2860.13 VARSITY – The penalty will only be applicable for varsity level teams.

Rationale There seems to be a growing trend of schools backing out of contracts.

Pros Will hold schools and programs accountable when creating a varsity schedule.
Requires the athletic director and coach to be a part of the commitment of scheduling varsity games and upholding that commitment.
Less teams backing out of game commitments.

Cons Could be a financial burden for those who do not uphold the written contact.

AMEND THE CONSTITUTION AND BYLAWS to read:

Amend Rules by adding and deleting the following to bylaw 3310 to read: Page 116

yes no

3310. EQUIPMENT DATES

- 3310.1 8. COMMERCIAL/COLLEGE CAMP Schools may ~~then~~ attend a camp conducted by a college/university for a typical period (3-5 days). Prior to attending, high schools must develop a ~~five-four~~-day camp, which would include two days in helmets, one day of full-pads with no player-to-player contact and ~~two one~~ days of full-pads and full contact. The ~~five-four~~-day camp and the commercial/college university camp must both fit within the 14 calendar day time frame already established. The ~~five-four~~-day lead up practices may not begin until Memorial Day.
9. Equipment must be returned and collected immediately.
10. Equipment for team camps cannot be issued prior to Memorial Day or after August 1.

**PROPOSED AMENDMENTS TO COMMITTEE REPORTS
FOR THE LEGISLATIVE COUNCIL
April 20, 2017**

CLOC Committee Report
(requires majority vote for approval)

ADM 2a – Two classifications of boys’ volleyball effective for the 2018-2020 cycle (Tri-Peaks)

Amend the CLOC Committee Report to read by adding:

yes no

Two classifications of boys’ volleyball effective for the 2018-2020 cycle. A two-classification approach (1500.1) would be utilized, however, boys’ volleyball would be interested in working with CHSAA to pilot a two classification skill based approach currently under consideration. Boys’ volleyball would be a Spring sport.

Rationale

In its’ 20-year history in Colorado, boys volleyball has seen continued growth capped off by an additional 10 teams (50 total) and over 600 athletes participating in the current high school club season. Athletes, parents, coaches, referees, USAV, and the Colorado community continue to demonstrate the desire and need for this sport to come under the CHSAA umbrella and become a legitimate varsity opportunity. This is an important opportunity for Colorado to again provide leadership in a growing national trend from increased boys participation, collegiate opportunities to national team success. Additionally, boys’ volleyball received overwhelming support from the 2016 CHSAA survey where 93 schools stated they would host a team and an additional 107 school supported sanctioning. No other sport has come to CHSAA with such a large number of active players and overwhelming desire from member schools. The sport has clearly demonstrated its sustainability and requires sanctioning to continue its growth, specifically for students in lower socio-economic circumstances and rural schools who currently are not able to access opportunities to participate.

Pros

- Volleyball is a lifelong sport that according to NFHS has grown nationally by 12% (for boys) to 55,417 total student athletes in the last 5 years – more than any other currently sanctioned sport in Colorado.
- 143 schools reported they could add boys’ volleyball without moving out of compliance with Title IX.
- Boys Volleyball could serve as a viable alternative in more rural settings as an additional team sport opportunity where larger teams or additional equipment requirements exclude participation. 54 1A-3A schools answered the CHSAA survey in support of adding a team at their school.
- Is a very low cost sport to add – gyms, balls and nets already exists and no other indoor CHSAA sponsored sport exists in the spring making practice and competition sites available.
- Colorado Volleyball Officials Association President, Linda Friesen states, “there are no concerns with providing sufficient officials for varsity boys’ volleyball and we look forward to this occurring.”
- Volleyball easily transfers to an additional unified opportunity.
- Adds an additional non-contact sport opportunity as concussion concerns grow in youth athletics.

- Is easy to implement as NFHS follows the same rulebook and bulletins as girls' volleyball.
- According to the NCAA, men's volleyball has shown significant growth in the number of post-secondary opportunities for to play volleyball.

Cons

- Additional boys' sports will always have a negative impact on proportionality, however a majority of schools responded they would still maintain compliance with Title IX.
- Cost of travel, coaches and referees would add some expense to schools, however grants from national organizations have been secured to support start-up costs for schools.
- Requires additional time to administer.

Basketball Committee Report
(requires 2/3 vote for approval)

ATH 2a – Class 3A Districts/Regionals/State

(Intermountain)

Amend the Basketball Committee Report to read:

yes no

4. The qualifiers advance to a 32-Team regional/state bracket where the district champions ranked in the top 16 of RPI plus the next highest RPI finisher will host regions.

5. The seven district champions, if ranked in the top 16 of RPI and the 1st highest RPI qualifier will be placed on the bracket in order of 1-8 ~~and will host the first round and sweet 16 games.~~ A district champion not ranked in the top 16 of final RPI will be placed on the bracket but will not be a top 8 seed and will not host a region; seeds 9-32 will be placed on bracket in RPI, avoiding league/district opponents in the first two rounds when possible. (If a district champion is not in top 16 RPI, then second highest remaining RPI will host)

Rationale The goal is to get the top teams to host regionals. We are not taking away an automatic qualifier from a league just getting the best teams to be region hosts.

Pros Get the top RPI teams to host regionals.

Cons Not all district champions will get to host regionals.

Basketball Committee Report

(requires majority vote for approval)

ATH 2b – Boys' and Girls' Basketball will use the RPI formula of 35-35-30 for the 2017-2018 season. (Frontier League)

Amend the Basketball Committee Report to read:

Boys' and Girls' Basketball will use the RPI formula of 35-35-30 for the 2017-2018 season.
yes no

Rationale

The RPI formula should reflect more of what a team has control over in terms of their own winning percentage. The control that schools have over their own schedule is limited at best. Schools must play their own league schedule and are also restricted by geography around the state. In addition, once there is a perception about the relative strength of your program, only certain schools will schedule you. The 25-50-25 formula favors strong leagues and supports a system of haves and have nots. The sport committees for soccer, baseball, and football have recognized the flaws of the 25-50-25 formula and have adjusted to either the 35-35-30 or 37.5-37.5-25 formula

Pros

- Makes a step towards making the RPI more consistent from sport to sport.
- Allows teams from relatively weak leagues, bound by geography, or raising the quality of their program to be more treated equitably in terms of their RPI rating.

Cons

Some CHSAA sports committees are still using the 25-50-25 formula so there is a lack of consistency with regards to the RPI formula between sports.