

NCS ELIGIBILITY COMMITTEE MINUTES

DATE: TUESDAY, DECEMBER 8, 2009
LOCATION: NORTH COAST SECTION OFFICE – UPSTAIRS MEETING ROOM
 12925 Alcosta Blvd., Suite 8
 San Ramon, CA 94583
 925.866.8400
TIME: 9:30 AM

Facilitator: Dr. Bob Vieth, Chair

AGENDA TOPIC	Committee Recommendations				PURPOSE	DISCUSSION LEADER	ACTION
	SAC	A/C COMM	ELIG COMM	EXEC COMM			
I. ROLL CALL AND INTRODUCTIONS					I	Bob Vieth	Meeting started at 9:30 a.m. with committee members introducing themselves.
II. MINUTES OF THE SEPTEMBER 8, 2009 MEETING Attachment A					R, D, A	Bob Vieth	Passed 12-0-0 to approve the minutes of the September 8, 2009 meeting.
III. PUBLIC COMMENTS Pursuant to Education Code 33353.2 (C), any person wishing to speak on any item on the agenda, or comment on the policies and practices of the North Coast Section, CIF, will be heard at this time.					I	Bob Vieth	There were no members of the public present to make comments on any items on the agenda, or practices or policies of North Coast Section, CIF.
IV. NEW BUSINESS							
1. CIF							
A. No proposals at this time							No items were presented.
2. NCS							
A. Review of NCS Report of Waivers and Appeals for the 2009-10 school year – Attachment B					I	Gil Lemmon	Commissioner Lemmon reported on the number of waivers submitted to the NCS Office through the month of November.
B. The Committee will review two hardship cases – one denial and one approval provided at the meeting					I	Gil Lemmon	The committee reviewed four eligibility cases, two approvals and two denials.
C. Revision of CIF Bylaw 206 – Boarding Schools					R, D, A	Bob Vieth	Direction to Commissioner Lemmon to move forward to the CIF Eligibility Committee with the recommended changes to CIF Bylaw 206.

AGENDA TOPIC	Committee Recommendations				PURPOSE	DISCUSSION LEADER	ACTION
	SAC	A/C COMM	ELIG COMM	EXEC COMM			
D. Revision of CIF Bylaw 207 – Adding Boarding School language to CIF Bylaw 207					R, D, A	Bob Vieth	Direction to Commissioner Lemmon to move forward to the CIF Eligibility Committee with the recommended changes to CIF Bylaw 207.
E. Revision of CIF Bylaw 209 – Definition of an International student and addition of language concerning Boarding School students who are International students					R, D, A	Bob Vieth	Direction to Commissioner Lemmon to move forward to the CIF Eligibility Committee with the recommended changes to CIF Bylaw 209.
F. Request change in Eligibility Notification Procedures – Elimination of the Notice of Receipt					R, D, A	Gil Lemmon	Passed 12-0-0 to approve the deletion of the Notice of Receipt and revision of the notification process.
V. OLD BUSINESS							
1. CIF Bylaw 211 – Physical Assault					R, D, A	Bob Vieth	No Action. No further action will be taken on this agenda item.
VI. REPORTS FROM ATTENDING LEAGUES AND NCS STAFF					I	Bob Vieth	
1. Leagues					I	Bob Vieth	No reports. Comments on CIF Bylaw 600.
2. NCS Commissioner of Athletics					I	Gil Lemmon	No report.
VII. OTHER TOPICS					I	Bob Vieth	None
VIII. ADJOURNMENT					P	Bob Vieth	Meeting adjourned at approximately 12:15 p.m.
IX. LUNCH					A		

D = Discussion, P = Participation, A = Action, I = Information only, R = Review/prior topic, C = Consent

NORTH COAST SECTION
12925 Alcosta Blvd., Suite 8
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(925) 866-8400 Fax (925) 866-7100

TO: Members of the Eligibility Committee and League Commissioners (FYI)
FROM: Gil Lemmon, Commissioner of Athletics
DATE: December 16, 2009
SUBJECT: **Eligibility Committee Meeting Minutes**

NEW BYLAW LANGUAGE IS BOLD, ITALIC AND UNDERLINED.
~~OLD BYLAW LANGUAGE IS STRUCK THROUGH.~~

In Attendance: Dr. Bob Vieth, Chair (MCAL); Randy Booker, BSAL ; Bill Branca, DFAL; Sam Cuddeback, BAC-W; Craig Kinser, CMC; Mark Corti, EBAL; Mike Panas, NBL; Josh Frechette, BAC-W, Kristin Glenchur, ACCAL; David Lonn, HDNL; Sean Moffatt, MVAL; Tim Rhyan, BVAL; and Gil Lemmon, NCS.

Absent: Theresa McEwen, HAAL.

**I. Roll Call
INFORMATION**

Each committee member introduced themselves, stating school and league affiliation. No other agenda items were added.

**II. Approval of Minutes of September 8, 2009 meeting (Attachment A)
PASSED 12-0-0**

Motion to approve the minutes of September 8, 2009.

Motion: Mike Panas Second: Randy Booker

**III. Public Comment
INFORMATION**

Pursuant to Education Code 33353.2 (C), individuals wishing to speak on any item on the agenda, or comment on the policies and practices of the North Coast Section, CIF, were provided this opportunity. No person from the public attended the meeting.

IV. NEW BUSINESS

1. CIF

A. CIF Proposals
NO ACTION

No proposals are currently being considered by the CIF.

2. NCS

A. Review of NCS Report of Waivers and Appeals for the 2009-10 School Year
INFORMATION

Commissioner Lemmon reported on the number of waivers submitted to the North Coast Section through the month of November for the 2009-2010 school year. A total of 662 waiver applications have been submitted and processed through the month of November. Hardships are up from last year, 95 compared to 77 in 2008-09. Overall, there has been a 20% increase in waiver applications.

Attachment B

B. Review of Several Hardship Cases
INFORMATION

The Committee reviewed two hardship approvals, one hardship denial and one eligibility denial involving a violation of CIF 510.

- C. Revision of CIF Bylaw 206 – Boarding Schools
INSTRUCTION TO THE COMMISSIONER – PASSED 12-0-0
Instruction to Commissioner Lemmon to move forward to the CIF Eligibility Committee with deletion of Boarding School language under CIF Bylaw 206.B.(6).

206. RESIDENTIAL ELIGIBILITY

(6) Boarding School

~~A high school student who transfers to or from the status of a full-time resident at a 24-hour boarding school shall be residentially eligible on the first transfer, but all residence requirements shall apply on any subsequent transfer. When transferring from a boarding school a 24-hour boarding school student must have resided in the boarding school for a period of 50 days immediately prior to the transfer.
(Revised October 2008 Federated Council)~~

Motion: Mike Panas (NBL) Second: Mark Corti (EBAL)

- D. Revision of CIF Bylaw 207 – Addition of Boarding Schools
INSTRUCTION TO THE COMMISSIONER – PASSED 12-0-0
Motion to Commissioner Lemmon to move forward to the CIF Eligibility Committee with additional of Boarding School language to CIF Bylaw 207.

207. TRANSFER ELIGIBILITY

A student who participates in an interscholastic athletic contest or attends a school shall be considered enrolled in that school and shall be classified as a transfer student if the student subsequently enrolls at another school.

- A. A student may have transfer eligibility provided the student moves from any school to a CIF school due to:
- (1) A valid change of residence (See also Bylaw 206.B.) from one school attendance area to the attendance area of the new school by the parent(s)/guardian(s)/caregiver with whom the student was living when the student established residential eligibility (See also Bylaw 206.A.) at the prior school **and the following conditions are met; OR**
 - a. ***The student is not transferring as a result of a disciplinary situation (See also Bylaw 210); AND***
 - b. ***The CIF Form 510 Pre-Enrollment Contact Affidavit is completed verifying that there is no evidence of the use of undue influence (recruiting) by anyone associated with either school; OR***
 - (2) A ruling by the Board of Education of a school district that has two or more high schools mandating a change of school attendance boundaries affecting an individual student or group of students provided the change of schools is not the result of a disciplinary action; OR
 - (3) A family decision to transfer the student prior to the first day of the student's third consecutive semester (typically the first semester of the sophomore year) of attendance since the initial enrollment when the following conditions are met:
 - a. This is the first transfer of this student since his/her initial enrollment in the 9th grade; AND
 - b. The student is not transferring as a result of a disciplinary situation (See also Bylaw 210); AND
 - c. The student was scholastically and otherwise eligible at the former school immediately prior to the transfer; AND

- d. There is no evidence that the transfer, in whole or part, is athletically motivated (See also Bylaw 510.B); AND
- e. The CIF Form 510 Pre-Enrollment Contact Affidavit is completed verifying that there is no evidence of the use of undue influence (recruiting) by anyone associated with either school; AND
- f. The CIF Form 207 Athletic Transfer Eligibility Application and CIF Form 510 Pre-Enrollment Contact Affidavit have been approved by the Section.
- g. No student shall be eligible to participate in the same sport at two different schools in the same school year unless the student changed schools as a result of a valid change of residence by the student and his/her parent(s)/guardian(s)/caregiver. In the event of a change of schools due to a valid change of residence, a student will be allowed to participate in the same sport at two different schools not to exceed, in total, the maximum number of contests in that sport as established by the Section. ***An approved hardship waiver under CIF Bylaw 208 waives the restrictions of this bylaw.***

B. All 9th grade students who are transferring for a second time, or any 10th, 11th or 12th grade students, who transfer without a valid change of residence, will have limited eligibility for one year from the date of transfer. (See “a.” below):

- (1) A student who transfers from a ~~Sschool A located in the U.S., a U.S. Territory, a U.S. Military Base, or Canada (to be referred to as School “A”)~~ to School “B”, without a change of residence on the part of his/her parent(s)/guardian(s)/caregiver with whom the student was living when the student established residential eligibility, from school attendance area A to school attendance area B, shall be residentially eligible for all athletic competition EXCEPT varsity level competition in sports in which the student has competed in any level of interscholastic competition during the 12 calendar months preceding the date of such transfer. (defined as LIMITED ELIGIBILITY).
 - a. Based on the conditions below, the student shall be ineligible for all sports for one calendar year unless otherwise noted.
 - (i) A student who was scholastically ineligible at their previous school will not be eligible to compete at the new school until the requirements in Bylaw 205 are met and the new school has completed a grading period to verify that the student has met the CIF and school district scholastic eligibility requirements.
 - (ii) A student will be declared ineligible for one calendar year from the date of transfer if he/she is transferring for disciplinary reasons as defined in Bylaw 210.
 - (iii) There is evidence of a violation of Bylaw 510.
 - b. The student shall become varsity eligible under the rule after one calendar year from the date of first attendance at the new school.

(2) ***Boarding School***

A high school student who transfers to or from the status of a full-time resident at a 24-hour boarding school shall be ~~residentially eligible~~ ***subject to all provisions of CIF Bylaw 207.B.*** ~~on the first transfer, but all residence requirements shall apply on any subsequent transfer. When transferring from a boarding school a 24-hour boarding school~~

~~student must have resided in the boarding school for a period of 50 days immediately prior to the transfer.~~

- (3) **Hardship Waivers**
Sections may waive the limited eligibility of a student pursuant to Bylaw 208 - Transfer Hardship.

Motion: Mike Panas (NBL) Second: Mark Corti (EBAL)

E. Revision of CIF Bylaw 209

INSTRUCTION TO THE COMMISSIONER – PASSED 12-0-0

Motion to Commissioner Lemmon to move forward to the CIF Eligibility Committee with additional of Boarding School language to CIF Bylaw 209 and revision of the definition of an International student.

209 FOREIGN STUDENT ELIGIBILITY

A. Foreign Exchange Students

(1) **Definition of a Foreign Exchange Student**

A foreign exchange student is an international student who attends high school in the United States and is enrolled in a foreign exchange program per the conditions in (2)a.-d. below.

(2) **Eligibility Requirements**

To be eligible for interscholastic athletics in the United States:

- a. Such student must be under the auspices of, and be placed with a United States host family by, an international student exchange program that has been:
- (i) Accepted for listing by the Council on Standards for International Educational Travel (CSIET); AND
 - (ii) Approved by the CIF; AND
 - (iii) Recognized by the U.S. State Department and the California Attorneys' General Office; AND

NOTE: A foreign exchange student is considered to be placed with a host family when written notice of placement provided by the exchange organization to the student and his/her parent(s)/guardian(s)/caregiver, and to the host family.

is

- b. Neither the school the student attends, nor any person associated with the school, shall have input into the selection of the student; AND
- c. It is recommended that no member of the school's coaching staff, paid or voluntary, serve as the host family; AND
- d. A foreign exchange student must possess a current J-1 visa, issued by the U.S. State Department; AND
- e. A foreign exchange student must comply with all eligibility requirements set forth by the CIF and the Section having jurisdiction; AND
- f. A foreign exchange student involved in an approved foreign exchange program where placement is not in accordance with State CIF conditions for exempt status is subject to loss of his/her residential eligibility (waiver of the transfer rule); AND
- g. A foreign exchange student who graduated from high school is ineligible to participate in CIF competition, unless the educational program in the student's country completes high school (graduation) after the student's 10th or 11th year of regular schooling (not including pre-school or kindergarten

classes), in which case the student may have CIF athletic eligibility through the 12th consecutive year of regular school attendance after initially enrolling in the first grade (not pre-school or kindergarten classes); AND

- h. A foreign exchange student participating in a CIF-approved foreign exchange program must comply with the maximum of eight consecutive semester bylaw. A foreign exchange student who is not in compliance with the eight consecutive semesters bylaw may apply for a waiver under the bylaws established by the State CIF and the respective Section of the student's current CIF school; AND
- i. A foreign exchange student must be eligible under all other State and Section bylaws.

(3) **Waivers of CIF Transfer Bylaws**

A student who participates in an interscholastic athletic contest or is enrolled in and/or attends a school for 15 school days or more shall be considered to have been "enrolled" in that school and shall be classified as a transfer student if the student subsequently enrolls at another school.

A waiver of the transfer bylaw may be granted to a foreign exchange student in accordance with the following:

a. **Pre-enrollment Contact Affidavit for Foreign Exchange Students**

All foreign students in CIF-approved foreign exchange programs shall submit the appropriate waiver application(s) as required by their respective Section under Bylaw 206 with a CIF Pre-Enrollment Contact Affidavit (CIF Form 510) signed by the student and a host parent (part 1), and the enrolling school official(s) (part 3). Foreign students in CIF-approved foreign exchange programs need not obtain signatures of officials from their former school; AND

b. **Approved Foreign Exchange Programs**

Upon written application, a waiver of the transfer rule may be granted to students in approved foreign exchange programs, provided the student has been placed with a host family in compliance with this bylaw and Bylaw 510 (undue influence).

The student will have the choice of attending either:

- (i) The public school in the host family's public school attendance area; OR
- (ii) A private school located in the host family's public school attendance area. To gain residential eligibility at any other school, the student must receive written approval from both the principal of the public school located in the host family's attendance area and the principal of the other school; OR
- (iii) In the event of a change of placement by the CIF-approved foreign exchange program, a different public school or private school with written approval from the principal of the new school.

c. **CIF-approved Foreign Exchange Programs:**

An approved foreign exchange program that fails to fulfill the State CIF conditions for exempt status shall be subject to immediate suspension of its exempt status and subject to permanent loss of its exempt status after due process has been fulfilled.

All approved programs will be posted on the State CIF web site (www.cifstate.org).

NOTE: Only foreign exchange programs registered with the California Attorneys General office and the U.S. State Department may place foreign exchange students in a California School (Government Code Section 12620 et seq.). The list above reflects the list approved by both the CIF and those registered with the California Attorney General, Council on Standards for International Educational Travel (CSIET) and the U.S. State Department. No other exchange programs will be recognized by the CIF as approved exchange programs for 2009-10.

B. All Other International Transfer Students

(1) ~~Definition of an International Student~~ Eligibility Requirements

An international student *is defined as a student who has been enrolled in the equivalent of a United States high school secondary educational program and* is not under the auspices of, and placed by, a CSIET listed exchange program and must meet the following requirements in order to be considered for interscholastic athletic eligibility:

- a. The student must possess a current F-1 visa, issued by the U.S. Immigration and Naturalization Service, *or is a U.S. citizen who has been attending the equivalent of a United States high school secondary educational program outside of the United States* ; AND
- b. The student must provide to the principal of the school he/she attends an official un-translated transcript and a transcript that is translated into English, by an agency acceptable to the Section from the National Association of Credential Evaluation Service (NACES) membership, which indicates work taken in all grades in which the student was enrolled; the grade level equivalent in the United States as if the international student had completed all courses attempted satisfactorily; and the California grade-point average equivalent; AND
- c. If required, the international student must pay tuition to the school/school district he/she attends as prescribed in Education Code Section 48052 et seq.; AND
- d. The international student not on an approved foreign exchange program who graduated, or should have graduated, or has completed the equivalent coursework for graduation from high school/secondary school is ineligible to participate in CIF competition; AND
- e. The international student not participating in a CIF-approved foreign exchange program is subject to the maximum of eight consecutive semesters bylaw; AND
- f. The international student not participating in a CIF-approved foreign exchange program is subject to the age requirement bylaw.

(2) Limited Eligibility

The international student may have limited eligibility only to participate in interscholastic competition. The international student may request unlimited eligibility under the provisions of Bylaws 207

and 208 that apply to all transfer students in the Section. For the purpose of this bylaw, any and all organized sports programs (e.g. youth teams, community teams, club teams, national teams at any level or individualized instruction for competition in development schools or programs) in which the international student competed on, or participated within the last 12 months, will be considered by the CIF in determining whether the student participated in the equivalent of interscholastic competition.

- (3) No member of the school's coaching staff, paid or voluntary, may serve as the resident family for the student.
- (4) The Section must take action regarding any international student's eligibility.
- (5) **Pre-Enrollment Contact Affidavit for International Students**
All international transfer students not in CIF-approved foreign exchange programs shall submit a fully completed CIF Pre-Enrollment Contact Affidavit (CIF Form 510) with the appropriate waiver application(s), as required by their respective Section under Bylaw 207.
- (6) **Appeals**
Appeals of eligibility involving international transfer students must be in accordance with all relevant provisions of the Section appeal process as set forth in Bylaw 1100.
- (7) **Boarding School**
All international transfer students not in CIF-approved foreign exchange programs who transfer to or from the status of a full-time resident at a 24-hour boarding school shall be subject to all provisions of CIF Bylaw 207.B.

Motion: Mike Panas (NBL) Second: Mark Corti (EBAL)

F. Request for a change in the Eligibility Notification Procedures
PASSED 12-0-0

Motion to revise the process of notification to schools regarding decisions on the eligibility status of submitted student eligibility waivers. NCS staff would email the principal and athletic director the decision but would only include a notice in the case of limited eligibility and hardship cases. No notice would be attached in waivers where the student received unlimited eligibility. In the cases of limited and hardship eligibility a Notice would also be mailed to the student residence. All eligibility decision will continue to be posted on the NCS website where schools can logon to view decisions. A tool for schools to retrieve a lost password will be built into the system.

See Attachment C for a sample form currently being used.

V. **OLD BUSINESS**

1. Physical Assault
NO ACTION

Motion to alter the language to CIF Bylaw 211 – Physical Assault

Physical Assault

Any student who physical assaults the person of a game or event official shall be banned from interscholastic athletics for the remainder of the student's *current athletic season or 120 day, which ever is greater, effective immediately, and not eligible for any other sport during the same season or during the 120 days.* A game or event official is defined as a referee, umpire or any other official assigned to interpret or enforce rules of competition at an event or contest. A student may, after a lapse of 18 calendar months from the date of incident, apply for reinstatement of eligibility to the State Executive Director.

Definition of Assault

A physical assault is the intentional infliction of, or an attempt to inflict a harmful or offensive touching or contact upon the person of an official. Note that the rule is violated even if no contact is made with the person of the official. All that is required is the "attempt". However, the act constituting the attempt must be accompanied by a specific intent, which may be inferred from the circumstances and nature of the act, to inflict a harmful or offensive touching contact of the official's person.

VI. REPORT FROM ATTENDING LEAGUES AND NCS STAFF

1. League Reports

No Reports. Representative Mark Corti asked about the infringement of outside soccer organizations on the high school winter season. Commissioner Lemmon stated that there is no real agreement with USA Soccer to limit the play of non-high school teams in the winter season. Any former agreement has eroded over time with no interest by USA Soccer to have one high school with no outside team conflict. The State CIF is seeking any section revisions to CIF Bylaw 600. Commissioner Lemmon will meet with several school to discuss revisions to CIF Bylaw 600.

**2. NCS Commissioner of Athletics Report
No Report**

VII. OTHER TOPICS

No other topics were added to the agenda.

VIII. ADJOURNMENT

The meeting was adjourned at approximately 12:15 p.m.

IX. LUNCH

NCS ELIGIBILITY COMMITTEE MINUTES

DATE: SATURDAY, NOVEMBER 7, 2009
LOCATION: NORTH COAST SECTION OFFICE – UPSTAIRS MEETING ROOM
 12925 Alcosta Blvd., Suite 8
 San Ramon, CA 94583
 925.866.8400
TIME: 9:30 AM

Facilitator: Bob Vieth, Chair

ATTACHMENT A

AGENDA TOPIC	PURPOSE	DISCUSSION LEADER	ACTION
I. ROLL CALL AND INTRODUCTIONS	I	Gil Lemmon	Roll call and introductions conducted
II. ELECTION OF A CHAIR	R, D, A	Gil Lemmon	Motion to nominate Dr. Bob Vieth as the 2009-2010 chair. M – Panas S – Booker Passed 9-0-0
III. CONSENT AGENDA	R,C,A	Bob Vieth	Motion to approve the Consent Agenda. M – Booker S – Glenchur Passed 10-0-0
IV. MINUTES OF THE DECEMBER 9, 2008 MEETING	C (D, A)	Bob Vieth	Approved by Consent
V. PUBLIC COMMENTS Pursuant to Education Code 33353.2 (C), any person wishing to speak on any item on the agenda, or comment on the policies and practices of the North Coast Section, CIF, will be heard at this time.	I	Bob Vieth	No individuals from the public were present.
VI. NEW BUSINESS			
CIF			
B. Report on CIF Eligibility Waivers and Hearings by Section Attachments B and B ₂	I	Gil Lemmon	Information
NCS			
G. Report on NCS Eligibility Waivers Attachment C	I	Gil Lemmon	Information
H. Update on the current status of NCS waiver requests for 2009-2010. Attachment D	I	Gil Lemmon	Information
I. Review of NCS hardship denials and approvals for 2009-2010.	I	Gil Lemmon	Information
J. CIF Bylaw 206.B.(6) – Boarding Schools	D	Bob Vieth	Direction given to Commissioner Lemmon
K. Review – CIF Bylaw 207.D – Note concerning “No Child Left Behind” federal legislation	I and D	Bob Vieth	Information and Discussion
VII. OLD BUSINESS			

AGENDA TOPIC	PURPOSE	DISCUSSION LEADER	ACTION
A. CIF Bylaw 211 – Physical Assault	R, D, A	Bob Vieth	Motion to change 18 months to 12 months M – Lonn S – Howser Passed 10-0-0 Direction to Commissioner Lemmon to obtain rationale for 18 months and bring back to the next meeting before forwarding approval to the Board of Managers.
B. Review of off-campus Physical Education classes	R, D, A	Bob Vieth	No Action – discussion
C. Review of CIF/NCS Bylaw 205 – Progress towards graduation Attachment E	D	Bob Vieth	No Action – discussed survey of NCS member schools
VIII. REPORT ON HEARINGS			
A. Bishop O’Dowd HS – Violation of CIF Bylaw 510 and 202	I	Bob Vieth	Report
IX. REPORTS FROM ATTENDING LEAGUES AND NCS COMMISSIONER			
A. Report from Leagues	I	Bob Vieth	No eligibility reports from leagues
B. Report from Commissioner	I	Gil Lemmon	
1. Interpretation of enrollment in 20 semesters of work	I		Information
2. Interpretation of study abroad and transfer back to US	I		Information
3. Poster	I		Information
4. Pre-enrollment contact	I		Information
X. OTHER TOPICS	I		No other topics
X. ADJOURNMENT	P	Bob Vieth	Adjourned

D = Discussion, P = Participation, A = Action, I = Information only, R = Review/prior topic, C = Consent

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TO: Members of the Eligibility Committee and League Commissioners (FYI)
FROM: Gil Lemmon, Commissioner of Athletics
DATE: September 9, 2009
SUBJECT: **Eligibility Committee Meeting Minutes**

NEW BYLAW LANGUAGE IS BOLD, ITALIC AND UNDERLINED.
~~OLD BYLAW LANGUAGE IS STRUCK THROUGH.~~

In Attendance: Bob Vieth, Elected Chair; Randy Booker, BSAL; Mark Corti, EBAL; Kristin Glenchur, ACCAL; Craig Kinser, CMC; Dave Lonn, HDNL; Shauna Howser, HAAL; Mike Panas, NBL; Tim Rhyan, BVAL; Josh Frechette, BAC; Sean Moffitt, MVAL; and Gil Lemmon, NCS.

Absent: Bill Branca, DFAL.

I. Roll Call

Each committee member will state his/her name, school and league.

II. Election of Chair

Nomination and election of the Eligibility Committee Chair. Motion to nominate Bob Vieth as the NCS Eligibility Chair for the 2009-2010 school year.

M – Mike Panas S – Randy Booker

Nominations closed.

Motion passed 9-0-0

III. Consent Agenda

Motion to approve the Consent Agenda.

M – Randy Booker S – Kristen Glenchur

Motion passed 10-0-0

IV. Approval of Minutes of December 9, 2008 meeting (Attachment A)

Motion to approve the minutes of December 9, 2008 meeting.

Approved by Consent

V. Public Comment

Pursuant to Education Code 33353.2 (C), any person wishing to speak on any item on the agenda, or comment on the policies and practices of the North Coast Section, CIF, will be heard at this time.

No member of the public was present.

VI. NEW BUSINESS

1. CIF

A. Report on CIF Eligibility Waivers and Hearings by Section Attachment B and B₂

Review by Commissioner Lemmon regarding the number and reason for all CIF eligibility waivers and hearings for the 2008-09 school year.

Information

3. NCS

A. Review of NCS Report of Waivers for the 2008-09 School Year

Attachment C

Review by Commissioner Lemmon regarding the number and reason for all NCS eligibility waivers for the 2008-09 school year.

Information

B. Update on NCS Waiver Requests for 2009-2010

Attachment D

Report by Commissioner Lemmon regarding the number and reason for all NCS eligibility waivers through the month of August, 2009-2010 school year.

Information

C. Review of Hardship Cases

Commissioner Lemmon reviewed five hardship waiver approvals and five denials. The five denials were not presented in writing, but described in generic terms.

Information

D. CIF Bylaw 206.B.(6) – Boarding School

The committee discussed the bylaw and the current transfer of students into boarding schools operated by NCS member schools. Although some concern was expressed that this may be a weak spot in the CIF bylaws allowing for potential abuse of the rule, no corrective language was suggested. The committee directed Commissioner Lemmon to check with the Central Coast Section and obtain any changes in the boarding school language. Commissioner Lemmon will also check with other state association bylaws to obtain ideas as to what other states are doing.

Boarding School

A high school student who transfers to or from the status of a full-time resident at a 24-hour boarding school shall be residentially eligible on the first transfer, but all residence requirements shall apply on any subsequent transfer. When transferring from a boarding school a 24-hour boarding school student must have resided in the boarding school for a period of 50 days immediately prior to the transfer. (Revised October 2008 Federated Council)

Question: What constitutes a boarding school?

Answer: A school providing lodging and meals for all enrolled students at the member school and is duly licensed would be considered a boarding school.

Question: If a student transfers from School A to a Boarding School, will the student be eligible?

Answer: The student may gain residential eligibility by completing the CIF 207/209/510 form and gaining approval by the Section Office.

Note: With any transfer the student must have been eligible at the former school, there cannot be any disciplinary action in place or pending at the former school and there can be no violations of CIF Bylaw 510 – Undue Influence/Athletically Motivated Transfer

No action on the agenda item. Commissioner Lemmon instructed to contact the CCS on their any revisions of CIF Boarding School bylaw and review other state associations.

E. CIF Bylaw 207.D – Note concerning “No Child Left Behind” federal legislation

Review of the application of this bylaw.

Current Bylaw

NOTE: Students transferring to another school under any provision of the federal legislation “No Child Left Behind Act” are not residentially eligible at their new school. However, a student may become eligible under the provisions of the appropriate Section and State CIF Constitution and Bylaws.

(Revised May 2009 Federated Council)

No Action.

VII. OLD BUSINESS

A. Physical Assault

Motion to alter the language to CIF Bylaw 211 – Physical Assault

Physical Assault

Any student who physical assaults the person of a game or event official shall be banned from interscholastic athletics for the remainder of the student’s eligibility. A game or event official is defined as a referee, umpire or any other official assigned to interpret or enforce rules of competition at an event or contest. A student may, after a lapse of ~~18 calendar months~~ **12 months** from the date of incident, apply for reinstatement of eligibility to the State Executive Director.

Definition of Assault

A physical assault is the intentional infliction of, or an attempt to inflict a harmful or offensive touching or contact upon the person of an official. Note that the rule is violated even if no contact is made with the person of the official. All that is required is the “attempt”. However, the act constituting the attempt must be accompanied by a specific intent, which may be inferred from the circumstances and nature of the act, to inflict a harmful or offensive touching contact of the official’s person.

M – David Lonn S - Shauna Howser

Approved 10-0 *(Since this item can be presented to the NCS Board of Managers in January the committee discussed and agreed that Commissioner Lemmon would seek from the CIF Office the rationale for the original 18 calendar month lapse of time before a student can apply for reinstatement. Commissioner Lemmon will report back in December.)*

B. Review of off-campus Physical Education classes

A survey of CIF sections revealed only one section (San Diego Section) that has language concerning interscholastic athletics and physical education classes. Language was also found in the State of Washington.

PHYSICAL EDUCATION CLASSES OUTSIDE THE SEASON OF SPORT

During School Day (includes extended school day) – An athlete may not participate in a regular physical education class or an independent study physical education class or an independent study physical education class in which more than one-half of the course offering outside the season of sport is in the sport in which he or she has competed interscholastically. For example, a basketball player could enroll and participate in a summer school physical education class that had 50 percent of its time allotted for weight training, running, racquet ball, etc. Students who had not yet competed on an interscholastic level in the sport concerned and students enrolled in off-campus independent study physical education classes in the individual sport (swimming, gymnastics, golf, tennis, etc.) would be exempt from this restriction.

WIAA Coaches Teaching Advanced Physical Education Classes

WIAA member schools believe that decisions regarding curriculum content and teachers remain at the local school district level. WIAA is not in the position to determine neither curriculum content nor the teachers of individual courses.

Each school district has the authority to make any WIAA rule more restrictive and may limit the involvement of their coaching staff in teaching specific courses. The following guidelines should be followed in order to prevent out-of-season coaching violations when a school coach also teaches an advanced physical education class.

1. The class must be open to all students. The class must include students who do not participate in the sport the coach coaches.
2. A variety of sports must be taught during the quarter or semester.
3. A variety of offensive and defensive strategies in each sport should be emphasized. Class time should not be used to teach offensive and/or defensive strategies that will be implemented by the school team, particularly if the defensive strategies are designed around a specific opponent from another school or another school team.
4. Videotapes or films may be shown to the entire class for group instruction. Videotapes or films of interscholastic contests should not be viewed on a one-to-one basis during class time.
5. Class members may not challenge one another for positions on the varsity squad in a specific sport. Example: A high jumper jumping during class time for his/her class grade would be allowed, as long as he/she does not challenge another student for a position on the varsity track team.
6. Class time may not be used to choreograph, critique, nor judge/officiate a competitive routine during class time.

No Action

C. Review of CIF/NCS Bylaw 205 – Progress towards graduation

A survey was conducted of all principals of NCS member schools concerning the current NCS Bylaw on Progress towards graduation. Responses are included on Attachment E.

Continuing Scholastic Eligibility

1. Minimum Requirements

A student is scholastically eligible if:

- a. The student is currently enrolled in at least 20 semester credits of work;

1) Non-Traditional Programs

In schools where other than traditional semester programs are offered, the principal of each individual school shall be responsible for determining the equivalent of 20 semester credits.

2) Accelerated Programs

Students studying on an accelerated program that includes one or more advanced (either high school or college) courses while enrolled in high school may substitute enrollment and passing grades in these courses for one or more required 20 semester credits of work; evaluation of these courses is to be done by the high school principal.

- b. The student was passing in the equivalent of at least 20 semester credits of work at the completion of the most recent grading period;
- c. The student is maintaining minimum progress, as determined by the principal, toward meeting the governing board prescribed high school graduation requirements.

In the North Coast Section, minimum progress toward graduation is defined as:

- 1) ***The student has earned credits at a rate of no less than the equivalent of 20 semester credits of work behind normal progress at any time prior to graduation, AND***
- 2) ***The student is no more than two courses behind normal progress in***

successfully completing specific courses required for HS graduation as prescribed by the governing board.

- d. The student has maintained during the previous grading period a minimum 2.0 grade-point average, on a 4.0 scale, in all enrolled courses.

Discussion – the committee believed that it is the responsibility of the principals and administrative staff at each school site to monitor and apply the rule appropriately.

VIII. REPORT ON HERINGS

- A. Bishop O’Dowd HS – Violation of CIF Bylaw 510 and 202
Information

See Attachment F

IX. REPORT FROM ATTENDING LEAGUES AND NCS COMMISSIONER

- 3. **League Reports**
None

- 4. **NCS Report**

- a. Interpretation of enrollment in 20 semester periods of work

CIF has long held that students must be enrolled in 20 semester periods of work in order to academically eligible. The question that has recently been posed to the NCS Office is “Can a student take one or two classes at the school of enrollment and then supplement the remaining units with college courses, correspondence courses, etc? After consultation with the CCS Commissioner I believe that the requirement that a student be enrolled in 20 semester periods of work must be at the school of attendance, including any district independent study programs.

- b. Interpretation of study abroad and transfer back to US

Domestic students who attend school at an NCS member school, leave for a period of time to study abroad, and then return to the original school will be considered “return to previous school” students as long as the student did not participate in a school athletic program at the school abroad. If the student returns and attends a different school then they are considered a transfer student under CIF 207 and their

- c. NCS Eligibility Poster
- d. League Eligibility Workshops

X. OTHER TOPICS
None

XI. ADJOURNMENT

SUMMARY REPORT OF REQUESTS FOR WAIVER OF CIF RULES
2009-10
NORTH COAST Section

203 = Age Requirement								207.B(1) = Unlimited Eligibility													
204 = Charged semester of attendance								208 = Hardship													
205.E = 20 Semester Units								209 = Foreign Student													
206.B(2) = Continuing Eligibility								210 = Discipline, Expulsion													
206.B(4) = Return to previous school								510 = Undue Influence													
207.A(3) = First Transfer																					
207.B(1) = Limited Eligibility																					
SECTION	203-205.E		206				207.A (3)		207.B (1)			208			209.A/B		210	510			Other
	A	D	A	D	A	D	A	D	Lim	DNP	Den	Unlim	Den/Lim	Den	A	Den/Lim	D	Unlim	Den/Lim	Den	
JULY	0	0	1	0	0	0	2	0	0	0	0	2	1	0	0	0	0	0	0	0	6
AUGUST	0	0	45	0	6	0	66	0	2	15	0	12	5	0	29	0	0	0	0	0	180
SEPTEMBER	0	0	56	1	1	0	73	3	5	40	0	32	7	0	36	3	0	0	2	0	259
OCTOBER	0	0	19	0	0	0	30	0	14	9	1	16	7	1	3	2	0	0	0	0	102
NOVEMBER	0	0	32	0	2	0	27	1	8	14	1	7	5	0	10	7	1	0	0	0	115
DECEMBER																					
JANUARY																					
FEBRUARY																					
MARCH																					
APRIL																					
MAY																					
JUNE																					
TOTAL	0	0	153			0	198	4	29	78	2	69	25	1	78	12	1	0	2	0	662

NOTICE OF RECEIPT OF ATHLETIC TRANSFER ELIGIBILITY APPLICATION – FORM 207

TO: Carol Kitchens, Principal, Campolindo High School
FROM: Karen Smith, NCS Associate Commissioner
DATE: August 4, 2009

ATTACHMENT C

1. **NCS 207 REVIEW**

(X) The Athletic Transfer Eligibility Application under the provisions of NCS Bylaw 207 on behalf of **Name**, currently a student at **Campolindo High School**, has been received by this office. I have reviewed the case as stated in the information that was forwarded to this office and find as follows:

() Unlimited eligibility - first transfer prior to beginning of the third consecutive semester since enrolling in the ninth grade.

(X) Unlimited eligibility – *non-participation in previous 12 months.*

() Limited eligibility.

Limited eligibility is defined as eligibility for all levels of participation in CIF sports in which the student did not participate at the prior school during the previous year or for non-varsity participation in CIF sports in which the student did participate at the prior school during the previous year.

() Hardship eligibility approved. *Administrative placement for non-disciplinary reasons approved by the Commissioner.*

() Hardship eligibility denied. Applicant may appeal to CIF State Appeals Office.

2. **CIF 510 REVIEW**

(X) The CIF 510 Pre-enrollment Contact Affidavit on behalf of **Name**, currently a student at **Campolindo High School**, has also been received by this office. I have reviewed the CIF 510 Pre-enrollment Contact Affidavit and required documentation that was forwarded to this office and find as follows:

(X) There was no evidence of recruiting or undue influence as defined in NCS and CIF Bylaw 510.

() There is evidence of recruiting or undue influence as defined in NCS and CIF Bylaw 510. By rule, the student is ineligible for one year from the date of transfer. The student may appeal this determination directly to the North Coast Section Commissioner.

cc: Orlando Chiavini, DFAL Commissioner