



To: NJSIAA Executive Committee

From: Paul Popadiuk, Chief Compliance Officer

Date: June 5, 2024

RE: NJSIAA Bylaw Clarification Proposal – International Students – Second Reading

During the 2023-2024 school year, NJSIAA staff convened a committee to examine the Association's policies and practices regarding international students. This proposal clarifies eligibility rules surrounding international students to ensure consistent application, and to address concerns of member schools regarding displacement of current student-athletes, recruiting, and a lack of oversight and rules in the Association's bylaws. This proposal provides the Association's philosophy, defines key terms, and identifies required conditions for eligibility, guardianship, and special exemptions.

PROPOSED BYLAWS AMENDMENTS

NJSIAA Bylaw Article V Section 4

M. International Students, Foreign Students, and Other Students from Foreign Countries

Purpose: *The NJSIAA is committed to fostering a positive environment for international students. Participation in athletics can enhance cultural understanding and personal growth for the entire team. It's important to recognize that the primary purpose of an international student's enrollment into an NJSIAA member school is not to exploit the student's athletic achievements for college recruiting or to showcase their talents in a way that could impact the competitive balance among member schools. The participation of international students in interscholastic athletic programs should not displace current student-athletes enrolled at member schools. Above all, the academic program should be prioritized over the athletic program.*

1: International Student Defined: An International Student is a student:

- a. who is in the United States on a U.S. Department of State-issued J-1 or F-1 visa; and
- b. who has moved to the United States without their parent or guardian; and
- c. whose parents/guardians are domiciled in a foreign country; and
- d. who is enrolled, as a full-time student, at an NJSIAA member school; and
- e. who has not graduated from the secondary school system in their home country (or that country's high school equivalent); and
- f. who is participating in a Council on Standards for International Students (CSIET) approved program.

2: International Student Eligibility Requirements:

- a. An International Student is eligible for one season of ~~sub-varsity athletics and one season of varsity athletics~~ and unlimited seasons of sub-varsity athletics, per sport, if all of the following conditions are met:
 - i. The student satisfies the requirements to be considered an International Student, as listed above; and
 - ii. The student has been assigned to a host family without any prior contact or influence from the student, the student's parents, the school, or any other interested parties before the placement.; and
 - iii. The student was not selected or placed on any basis relating to the student's athletic abilities/interests; and
 - iv. The student does not reside with district staff members, boosters, or coaching staff (paid or voluntary); and
 - v. The student and school have completed the NJSIAA International Student Eligibility Form, and it has been approved by the NJSIAA; and
 - vi. The student has not been previously enrolled in another U.S. school, or participated on a U.S. athletic team (club, school, or otherwise); and
 - vii. The student meets all eligibility requirements in Article V of NJSIAA Bylaws.
- b. Notwithstanding any provision of Article V, a student who receives eligibility under this section shall thereafter be ineligible to participate in interscholastic athletics at that or any other NJSIAA member school.
- c. Sections 1 and 2 are not applicable to students who move to the United States with their parent/guardian as defined in Section 8.
- d. Schools are limited to one international student per varsity team during a given season. There is no limit on the number of international students participating at the sub-varsity level.

3: Foreign Student Defined: A foreign student is a student who has moved to the United States from a foreign country, and whose parents/guardians are domiciled in a foreign country, but who does not qualify as an International Student pursuant to Section 1 above, and/ or does not meet the eligibility requirements for International Students outlined in Section 2 above. A foreign student is not eligible to participate in interscholastic athletics at NJSIAA member schools.

4: American Dependencies: Students from American Samoa, Guam, Puerto Rico, the United States Virgin Islands, and other dependencies of the United States, are neither Foreign Students nor International Students. Said students are eligible to participate in high school sports in New Jersey upon meeting the eligibility requirements of Article V.

5: Refugees: Any student who is considered a refugee, or has been granted asylum, or whose parents are considered refugees or have been granted asylum, by the United States Citizenship and Immigration Services (USCIS), shall be eligible to participate in high school sports in New Jersey upon meeting the eligibility requirements of Article V.

6: Parolees: Any student who has enrolled in a NJSIAA member school and is approved as a parolee, or whose parents have gained parole status, through USCIS shall be eligible to

participate in high school sports in New Jersey upon meeting the eligibility requirements of Article V.

7: Moving with Parent/Guardian: Any student who has moved to the United States from a foreign country with a parent/guardian, or who has moved to the United States from a foreign country to live with a person who has a biological relationship with the student, shall be eligible to participate in high school sports in New Jersey upon meeting the eligibility requirements of Article V.

8: Boarding Schools: Any student who boards at a NJSIAA member school that offers on-site boarding shall be eligible to participate in high school sports in New Jersey upon meeting the eligibility requirements of Article V.

9: Effective Date: The effective date of this Bylaw is ~~July 1, 2024~~ September 1, 2024. This Bylaw shall apply to students enrolling at NJSIAA member schools after that date. For clarification purposes, this Bylaw applies to any student who starts classes after the first day of the 2024-2025 school year.

International Student Committee

Carol Birnbohm, Superintendent, Lenape School District
Judy Finch-Johnson, Assistant Superintendent, Elizabeth Public Schools
Michael Rossi, Superintendent, Lenape Valley Regional High School
Russell Petrocelli, Principal, DePaul Catholic High School
David Salvo, Superintendent, Middle Township Public Schools
Steve Shohfi, Board of Education, Point Pleasant Beach High School