



NORTH COAST SECTION, C.I.F

UNDUE INFLUENCE/RECRUITMENT
WORKSHOP

UNDUE INFLUENCE, ATHLETIC MOTIVATION DOCUMENTS

Documents concerning undue-influence can be found at the NCS website (www.cifncs.org)

- ▶ Constitution and General Bylaws
- ▶ Eligibility Transfer Information
 1. Undue Influence Grid
- ▶ Commissioner's Right to Interpretation – CIF 1106
 - ▶ Once a school, or someone associated with your school, places your school in a position where your actions will be evaluated by either a hearing panel or Commissioner your school and subject to sanctions. You should avoid at all costs.

C.I.F. PHILOSOPHY – PARTIAL – Bylaw 200

- Education is the first priority, athletic participation is secondary.
- Provide a fundamentally fair and equitable framework in which interscholastic athletic competition can take place.
- Provide uniform standards for all schools to follow in maintaining athletic competition.
- Serve as a deterrent to students who transfer schools for athletic reasons and to individuals who recruit student athletes.
- Maintain an ethical relationship between high school athletic programs and others who demonstrate an interest in high school athletes.
- Support the Principles of “Pursuing Victory with Honor”

ACCURATE INFORMATION REQUIREMENT (202)

- ▶ The CIF requires that all information provided in regard to any aspect of the eligibility of a student must be true, correct, accurate and complete.
- ▶ The penalty for false or fraudulent information is ineligibility for that student in CIF competition at any level in any sport for a period of up to 24 calendar months.
- ▶ The involved school may be required to forfeit contests and other possible sanctions are possible.

Undue-Influence

▶ Undue-Influence

1. Recruitment/undue-influence

▶ CIF Bylaw 510.A. states:

- ▶ The use of undue influence by any person(s) to secure or retain a student or their parent(s)/guardian(s)/caregiver as residents may cause the student to be ineligible for high school athletics for a period of one year and shall jeopardize the standing of that high school in the CIF.
- ▶ Undue influence is any act, gesture or communication (including accepting material or financial inducement to attend a CIF member school for the purpose of engaging in CIF competition regardless of the source) which is performed personally, or through another, which may be objectively seen as an inducement, or part of a process of inducing a student, or his or her parent(s)/guardian(s)/caregiver, by or on behalf of, a member school, to enroll in transfer to, or remain in, a particular school for athletic purposes.

Undue-Influence

▶ Penalty

- ▶ Jeopardize the membership standing of the high school in the CIF.
- ▶ Influenced student may be deemed ineligible for up to 24 months.
- ▶ Other penalties:
 - ▶ Listed under NCS 218.A.4
 - ▶ Assigned within the processes of NCS 1103.B and 1103.C
- ▶ Repeated violations of CIF or NCS policies can lead to more severe sanctions as listed under NCS 218.A.4.

Undue-Influence

- ▶ Evaluation of Undue-Influence
 - ▶ By the CIF member school – if a violation is determined the violation is reported under NCS 1103.B.
 - ▶ By the Section Commissioner – process outlined under NCS 1103.C.
- ▶ How is Undue-Influence Evaluated?
 - ▶ Basic premise – parents and families should be left alone to decide which school they believe is best for their child.
 - ▶ Students attend school to receive an education first; athletic participation is secondary.
 - ▶ Many activities are suspect. You must ask “What is the intent of the action?”

Undue-Influence

- ▶ When should a school be concerned?
 - ▶ Any contact with a potential student-athlete or their family prior to enrollment at your school.
 - ▶ Potential student-athlete visits a school prior to enrollment.
 - ▶ Potential student-athlete attends Open Gym or Open Field
 - ▶ Potential student-athlete or his/her family, or “friend” contact a coach at the school about your school’s athletic program.
 - ▶ Coaching staff or individuals associated with your school coach within outside programs.
 - ▶ “Flipping of the hat.”

Undue-Influence

▶ Examples

- ▶ Booster club members discuss your school with potential athletes/parents.
- ▶ Targeted invitation to attend a game/event at your school.
 - ▶ Targeting is contact with sport specific groups.
- ▶ Trying to convince a student to not transfer.
- ▶ Financial inducement not made available to any student at your school based on a blind application process.
- ▶ Use of mailings or advertisements to promote your school athletic program.
- ▶ Shadow visits that include visitation with coaches or student-athletes to discuss any athletic question.

Undue-Influence

- ▶ Examples Continued
 - ▶ Allowing students who are not enrolled at your school as 9-12 students to participate in a practice, or attend practice to watch.
 - ▶ Conduct of club programs that mirrors school name, logo, mascot, colors, use school facilities with no use permit. Basically saying it is not a school program but the conduct of the club is evaluated and determined to be sponsored by the school.
 - ▶ Non-student attends summer activities, or Open Gym or Open Field and asks the supervising person questions about enrollment or questions about the athletic program.

Undue-Influence

▶ Examples Continued

- ▶ Coach is allowed to visit a feeder school and is not the athletic director or an administrator.
- ▶ Coach is an athletic director or an administrator and when they attend a feeder school do more than share general information, such as a need for a physical, sports offered, starting dates, etc. Instead the coach shares the accomplishments of the various athletic teams, scholarships received by student-athletes at your school, essentially cross the line of offering general information versus a conversation that a person would evaluate as recruitment.
- ▶ Providing jerseys or other school garments to potential students.

Undue-Influence

▶ Examples Continued

- ▶ At an Open House coaches or current student-athletes attempt to influence a student to attend your school.
 - ▶ Comments such as:
 - ▶ You would be a starter here!
 - ▶ As a freshman you could participate on a team that may go to the State CIF Championships.
 - ▶ Our school is looking for someone just like you.
 - ▶ We have an current opening for your position at our school.
- ▶ Conduct a camp or clinic at your school and attempt to get one or more of the camp attendees to enroll at your school.
- ▶ Attend a local youth sport function in school clothing.

Athletic Motivation

- Athletic motivation

This type of violation is usually performed by the enrolling student and family, making a decision to transfer to another school based on athletic participation. It is by far the most frequent violation of CIF 510.

- Involves CIF bylaws 200, 202, 206, 207, 208 and 510
- Usually involves pre-enrollment contact with individuals associated with the enrolling school.
- Can be considered prima facie evidence (sufficient evidence) of a transfer based on athletic reasons.
- Student can be ruled ineligible for one calendar year and the school may be required to forfeit games.

Athletic Motivation

▶ Athletic motivation continued

▶ Pre-enrollment contact

- ▶ Is there any pre-enrollment contact? The rule states any and all pre-enrollment contact must be reported.
- ▶ Pre-enrollment contact may include, but is not limited to: any communication of any kind, directly or indirectly, with the student, parent(s)/guardian(s)/caregiver, relatives, or friends of the student about the athletic program at the school.
- ▶ Requirement to Disclose Pre-enrollment contact by the student and family and enrolling school.
- ▶ It is not an evaluation by the school if the pre-enrollment contact is a violation, that is a decision of the section commissioner.

Athletic Motivation and undue-influence

- ▶ Pre-enrollment contact is only reported when there is pre-enrollment contact with individuals associated with your athletic program.

- ▶ Associated is defined as:

Persons “associated” with a school include, but are not limited to: current or former coaches, current or former athletes, parent(s)/guardian(s)/caregiver of current or former student/athletes, booster club members, alumni, spouses or relatives of coaches, teachers and other employees, coaches who become employed, active applicants for coaching positions, and persons who are employed by companies or organizations that have donated athletic supplies, equipment or apparel to that school.

Athletic Motivation

Examples are:

- ▶ Playing for a coach of a club team who coaches at another school and then transfers to that school.
- ▶ Plays on an outside team which has members from another school and then transfers to that school.
- ▶ Multiple transfers to a school.
- ▶ Association with an outside agency that uses the facilities or personnel of the student's new school.

Athletic Motivation and undue-influence

- ▶ Athletic Transfers and Violation of CIF 510
 - ▶ The student and family have an opportunity to rebut or disprove the violations.
 - ▶ Only credible evidence may be used to show that the student and family have violated the involved rules. Evaluations cannot be arbitrary or capricious.
 - ▶ If eligibility is denied the family may appeal to the State CIF.
 - ▶ While legal counsel is not required, the student and the CIF Section may choose to be represented by legal counsel or advocate at the hearing.
 - ▶ NCS member schools have developed two documents helpful concerning these rules:
 - ▶ Undue Influence Rule Interpretations
 - ▶ Pre-Enrollment, Undue Influence and Athletic Motivation Grid

Role of School

▶ Principal

- ▶ The Principal at every school is ultimately responsible for the eligibility of the students who compete for the school.
- ▶ The Principal may elect to delegate that responsibility but remains the person responsible for the administrative controls established at the school to insure that ALL eligibility standards are met.
- ▶ Must develop systems and processes to protect the school from individuals who wish to take advantage of their educational athletic programs.
- ▶ Failure of the Principal to oversee the school's athletic program is a violation of CIF 503 – Administrative Oversight

Role of School

▶ Athletic Directors

- ▶ Are the front-line in knowing and applying eligibility rules and regulations.
- ▶ Are expected to assist student-athletes, parents and coaches with eligibility determinations.
- ▶ Are expected to develop protocols, oversee all aspects of the athletic program: coaches, athletes, schedules, facilities, boosters, finances, sportsmanship programs, league and NCS responsibilities.
- ▶ Are expected to communicate regularly with administrative team.

Role of School

▶ Coaches

- ▶ Coaches are some of the most visible representatives of your school.
- ▶ Coaches must understand that the mission of CIF member schools is academic in nature.
- ▶ Coaches must be aware of the eligibility rules.
- ▶ Coaches should not be responsible for scholastic or transfer eligibility. However, they need to ask the appropriate questions to determine if a student is a transfer.
- ▶ Coaches may not participate in junior high school visits or talk to any potential students prior to enrollment at their high school.
- ▶ Coaches must know how to respond when approached by individuals seeking information about enrollment at their school.

What if an ineligible student participates

- ▶ Self-report immediately upon discovery of a violation. Follow the procedures under NCS 218.
 - ▶ Report to:
 - ▶ Involved schools
 - ▶ League Commissioner
 - ▶ Section Commissioner
- ▶ If your school is aware of a potential violation of CIF or NCS rules by another school follow the procedures under NCS 217:
 - ▶ Report to your school's principal
 - ▶ Courtesy call to inform the other school
 - ▶ Principal to principal contact
 - ▶ Investigation by other school, report back to reporting school
 - ▶ If not satisfied reporting school may file a request for initial determination with league
 - ▶ NCS Commissioner reviews appeals or reports involving non-league members.

Eligibility Statistics

- ▶ 2018-2019
 - ▶ 36.0% CIF 206
 - ▶ 0.42% Denied 206
 - ▶ 17.8% 207.B.3 (Unlimited)
 - ▶ 9.4% 207.B.5.a (Limited)
 - ▶ 0.00% Denied Limited
 - ▶ 21.4% 207.B.5.b (SOP)
 - ▶ 0.07% Denied SOP
 - ▶ 93.0% Hardship Approval
 - ▶ 7.0% Hardships Denied
 - ▶ 4.5% Foreign Exchange
 - ▶ 0.28% Denied Foreign Exchange
 - ▶ 1.20 Denied Disciplinary Transfer
 - ▶ 0.49% Denied based on Athletic Motivation

CLOSING

- ▶ REMEMBER...These rules are written ..
 1. To insure that athletics does not overshadow the academic mission of our schools
 2. To insure that when we enter the field, court or pool, we can trust that the students against which we are competing are in compliance with the same eligibility rules as our own students
 3. To insure that no one is attempting to procure the attendance of an athlete at any school, or are transferring for athletic purposes.

Questions

- ▶ Questions regarding eligibility should be directed to NCS Commissioner Pat Cruickshank at 925-263-2110 x221. If Pat is not available then ask for either Bri Niemi, Assoc. Commissioner, ext. 215, or Sonjha Phillips, Asst. Commissioner, ext. 220.
- ▶ Pat, Bri and Sonjha's email addresses are:
 - ▶ pcruickshank@cifncs.org
 - ▶ bniemi@cifncs.org
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