



Lillian M. Lowery, Ed.D.
State Superintendent of Schools

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TO: Members of the State Board of Education
FROM: Lillian M. Lowery, Ed.D. *Lowery*
DATE: April 23, 2013
SUBJECT: Request to Waive Athletic Regulation COMAR 13A.06.03.03A

PURPOSE:

The purpose of this item is to seek approval of a COMAR athletic regulation waiver request from the Maryland Public Secondary Athletic Association (MPSSAA) to allow for the starting date of fall athletic practice to be extended by three days for 2013.

BACKGROUND/HISTORICAL PERSPECTIVE:

One of the athletic COMAR regulation amendments included in the comprehensive review package proposed to the State Board provides for a three day earlier start to pre-season fall practice. If approved, the 2013 start date of August 17th would be moved to August 14th. The resulting 12 to 15 extra hours will allow athletic programs to implement heat acclimatization activities.

The current timeline projects the earliest date for State Board passage of this amendment to be July 23, 2013. Results of that meeting could not be published in the Maryland Register until August 8, 2013 with an effective date ten days after publication on August 19, 2013. Thus, regulations approved three weeks earlier would miss becoming effective for 2013 by five days.

This request for waiver of COMAR 13A.06.03.03A is contingent upon the State Board approval of the proposed athletic amendments at its July meeting. Should the State Board reject or delay action on July 23, 2013, this request becomes moot and would be withdrawn.

EXECUTIVE SUMMARY:

Among the multiple editorial modifications proposed to the athletic regulations, there is a substantive amendment that would provide for the first day of fall practice to be advanced by three days. If approved at the State Board July 23, 2013 meeting, the modifications would not take effect until August 19, 2013, thus missing the approved start date by five days. A onetime waiver for this year would provide consistency with the intent of the Board and provide teams with the opportunity to recoup lost practice time as a result of heat acclimatization.

ACTION:

I am requesting that the State Board approve recommend the requested waiver.

Attachment

ORGANIZED 1946



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EDWARD F. SPARKS
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200 WEST BALTIMORE STREET
BALTIMORE, MARYLAND 21201-1595

April 9, 2013

Dr. Lillian M. Lowery, Ed.D.
State Superintendent of Schools
200 W. Baltimore St.
Baltimore, MD 21201

Dear Dr. Lowery:

Pursuant to COMAR 13A .01.01.02-1, the Maryland Public Secondary Schools Athletic Association (MPSSAA) is requesting a waiver by the State Board of COMAR 13A.06.03.03A (1) for 2013 only. The State Board's waiver is requested because Section .03A (1) of the amendments of the athletics regulations (proposed to the State Board on April 23, 2013), permits local school systems to begin the fall sports season three days earlier than is currently permitted. Beginning the fall sports season three days earlier allows an additional 12-15 hours of practice time for proper heat acclimatization and instruction for athletes, specifically before football training begins with full pads and contact.

Because the State Board will not have a chance to approve the proposed regulation amendments until July 23, 2013, the earliest the new regulation can be effective is August 17, 2013; the date athletics would be permitted to begin this fall. With a waiver, the fall season will begin on August 14th, will be consistent with the amended proposed regulations, and give the extra 12-15 hours of practice time starting this fall.

Thank you for your consideration. The MPSSAA requests you to bring this waiver request to the State Board with this one-time waiver of COMAR 13A.06.03.03A (1).

Please know I am available to answer any questions or provide assistance in moving this action forward with your recommendation.

Sincerely,

Edward F. Sparks
Executive Director, MPSSAA

EFS:sk