

New York State Public High School Athletic Association, Inc.

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November 16, 2015

Monroe-County Council of School Superintendents,

I have received your correspondence pertaining to non-public schools participating in post-season NYSPHSAA tournaments. As the Executive Director of the New York State Public High School Athletic Association, below I offer a response to your concerns and a protocol to follow regarding change to our current philosophy and inclusion.

NYSPHSAA has a membership of nearly 800 high schools throughout the 11 Sections; we are very much a "membership" led organization. The "membership" opted to permit non-public school participation many years ago and the "membership" must initiate any changes that will occur in the future.

The NYSPHSAA Handbook clearly prohibits the use of undue influence to secure a student for competitive purposes in a sport. Any infraction shall cause the student to forfeit eligibility in that sport for one year from the date of enrollment. The offending school shall be subject to the provisions of Bylaw #19 (D) which states *"For any violation of eligibility or sports standards a school authority may be censured, placed on probation, or suspended by the Section Athletic Council."* Each Section has responsibility for enforcement of the State rule; however, I would be happy to work with Section V to review any evidence in violation of the NYSPHSAA Handbook's rules and regulations.

The NYSPHSAA organization will always follow the philosophy and direction of our membership. It is important our association never makes decisions out of fear of potential litigation or as a result of the forecasted challenges; it is my direct responsibility to enforce the rules and regulations that have been voted upon and approved by the membership of the association.

Each NYSPHSAA Section has the ability to determine how schools will advance to the NYSPHSAA post-season as Sectional representatives. Section V has the ability and authority to determine which schools represent Section V and advance to the State Championships. On a statewide perspective, if Section V is interested in proposing a variation to the current "state" system used, I encourage Section V to bring this to the attention of the NYSPHSAA Executive Committee in the future.

I am certainly available and happy to meet with the Monroe County Council of School Superintendents to discuss any concerns you may have pertaining to this topic.

Sincerely,

A handwritten signature in black ink that appears to read 'R. Zayas'.

Robert J. Zayas

NYSPHSAA Executive Director