


Scheduling & Safety

**HOW DO WE SCHEDULE FOOTBALL GAMES
WHEN THE CENTRAL CONCERN IS SAFETY?**

OR

**WHAT HAPPENS WHEN SOME TEAMS
ARE JUST TOO GOOD?**





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Over the past 5 years, schools in Northern New Jersey have been having difficulty scheduling football games.

"Big 5" non-publics plus one:

- Bergen Catholic
- Don Bosco Prep
- St. Joseph Regional
- Paramus Catholic
- DePaul Catholic
- St. Peter's Prep



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As a result of this difficulty, we received correspondence from superintendents saying they would refuse to play the Big 5 and would instead forfeit games.



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In regards to the Administration and Don Bosco Preparatory's Coaching Staff, I am formally requesting that they find a replacement game in their schedule, as I refuse to take the liability for this egregious safety situation ever occurring again on my watch.

Sincerely,

Zach Moody

Zach Moody
Principal of Operations, Eastside High School

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I feel that either solution works. The first levels the playing field and the second separates the field into even parts. I urge Athletic Directors and Superintendents who are frustrated by the disparity and inherent dangers by this uneven playing field to weigh in now and remedy the current situation.

Sincerely,

Nicholas J. Sacco

Nicholas J. Sacco
Senator, 12th District

Seven horizontal lines for handwritten notes.

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Organized statewide committee of public and non-public schools to discuss issue.

- Appointed representatives from all interest groups, including public, non-public and choice schools.

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NJSIAA: Bergen principals getting a seat at table

BY DIANEEN COOPER
STAFF WRITER, THE RECORD

ROBINVILLE — Bergen County officials have complained the loudest over the years while trying to get the state to level high school football playing fields by not forcing public schools to play against the area's powerhouse non-publics.

Those officials now have a seat at the table in the ongoing conversation about the No. 1 issue in North Jersey scholastic athletics.

Reacting to The Record's stories on alleged recruitment of high school athletes, the Bergen County Association for School Administrators, the Bergen County Principals and Supervisors Association and Pasack Valley superintendent P. Erik Gunderason each sent a letter to NJSIAA executive director Steve Timko.

Timko said he responded to the principals association by inviting the group to have a member on the public/non-public committee that is handling issues between the two factions.

"Hopefully we get some positive feedback and recommendations that come out of it," said Timko, adding that everything is on the table — including a separate football conference for large non-public schools.



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- Out of this committee, legislation was proposed to separate public and non-public schools for sport of football.

- The vote passed the membership by a 2-1 margin but was vetoed by the Commissioner of Education.

Commissioner of Education Decision

"Even assuming that the NJSIAA has demonstrated that elite non-public schools must be separated due to competitiveness and fairness concerns, this proposal does not ensure that all other non-public schools will be able to continue to compete with appropriately matched public schools in their region. Completely excluding these non-public schools without a compelling rationale deprives them and the State of the benefits of diverse interscholastic athletic competition and equal athletic opportunity, and subjects those non-public schools to increased burdens in their attempt to provide for full schedules... ."

Commissioner of Education Decision

"Therefore, [separating publics and non-publics for football] clearly violates the State's well-established policy of equal athletic opportunity."

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This is where we are today from a scheduling perspective:

- > In Central and South Jersey, publics and non-publics peacefully schedule and co-exist with each other.
- > In North Jersey, there is a new football conference of 115 schools where no public school plays a non-public school.
- > All superpower non-publics play each other.

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Problems we still face:

- > There are two non-public schools who still refuse to play their non-public schedules.
- > We have public schools who are now refusing to play non-publics even if they are in their conference.
- > In each of all of these situations, schools are using safety as their basis for not competing.



Scheduling & Safety: Legal Concerns

Quandary:

- > Public schools refuse to play against non-publics
- > "B+" non-publics refuse to play against "A+" non-publics
- > Commissioner of Education mandates integrated competition.



Scheduling & Safety: Legal Concerns

- > Can we require schools to play certain opponents against their will?
- > What are the liability implications?




Scheduling & Safety: Conference Alignment

Primary tool is conference alignment:

By mandate of the Commissioner of Education, leagues and conferences are integrated,

- > public/non-public
- > urban/suburban/rural

All schools are integrated into appropriate conferences.




Scheduling & Safety: Conference Alignment

"A league and conference structure that provides opportunity for healthy athletic competition among urban, suburban, rural and parochial schools adds substantially to the benefits derived from such interaction and serves the interest of preparing our young people for future involvement with persons of diverse socioeconomic, regional, and religious backgrounds."

In re New Jersey Interscholastic Athletic Association's Proposed Realignment of Athletic Leagues and Conferences; OAL Docket No. EDU 2561-82.

Scheduling & Safety: Conference Alignment

- > Conference constitutions & bylaws create "contractual" relationships among member schools.
- > NJSIAA has overseen 5 statewide realignments over past 35 years.
- > Appeals from conference decisions heard by NJSIAA.



Scheduling & Safety: Forfeiture

A second tool is forfeiture

- > School decides whether it will play the game
- > Some conferences apply enhanced penalties, to discourage forfeitures

Scheduling & Safety: Forfeiture

D'Alessandro: Kearny football's forfeit against St. Peter's illustrates continued talent gap between publics, non-publics

By Dave D'Alessandro / Star-Ledger Editorial Board

"Actually, we don't know when the safety issue isn't valid. Not even a coach of Hansen's presence can control what goes on in a 77-7 game, which was the score against Memorial High two weeks back. The coach used 60 players (including four quarterbacks) and asked for a running clock before halftime. What either team gained from this experience is unclear."

NJSIAA

Scheduling & Safety: Superconferences

A third tool is creation of "superconference" confederations:

- North Jersey 115
- West Jersey 101
- Shore Conference 43
- Mid-State 38
- NJIC 28
- Greater Middlesex 24

NJSIAA

Scheduling & Safety: Superconferences

Superconferences provide a greater number of scheduling options than were previously available.

Schedules can be more finely tuned for:

- geography
- school size
- strength of program

Scheduling & Safety: Superconferences

> Two non-public schools are resisting their "superconference" designations

- One case has been decided, but the school is not satisfied
- One case will be heard April 19.

> Two public schools continue to refuse to play non-public schools.

Duty to "match & equate"

The tort duty to "to properly match and equate competitors for competition" requires "placing athletes in direct competition, in contact and non-contact sports, with other athletes of similar age, size, mental and physical maturity, experience, and skill level in training sessions and competitions."

Figone, A.J. (1989). Seven major legal duties of a coach. Journal of Physical Education, Recreation and Dance, 60(7), 71-75

Schwarz, T.C. (1996). Coaches and liability: preventing litigation through the legal duties of coaches. Doctoral dissertation, Washington State University, USA.

Scheduling & Safety: remaining questions

This predicament of the level playing field will always be with us.

The change now is the heightened concern for safety, and use of "safety" as an excuse for refusing to play.



Scheduling & Safety: remaining questions

Is there a way to develop a formula for determining when an elite team has become too good?

Is there a way to determine when a football game is unsafe?

Questions?

STEVEN J. TIMKO
EXECUTIVE DIRECTOR
NEW JERSEY STATE INTERSCHOLASTIC ATHLETIC
ASSOCIATION

STEVEN P. GOODELL
HERBERT, VAN NESS, CAYCI & GOODELL, P.C.
3131 PRINCETON PIKE, BUILDING 4, SUITE 114
LAWRENCEVILLE, NEW JERSEY 08648