

# Prep transfer rule upheld when Sup

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SAN FRANCISCO — The state Supreme Court left intact Wednesday a rule requiring California high school athletes who change schools without changing homes to wait a year before playing in the same varsity sport at the new school.

With Chief Justice Rose Bird dissenting, the court denied a hearing to a Los Angeles-area youth appealing a lower-court ruling that kept him out of varsity basketball and volleyball for a year. Four votes are needed for a hearing by the seven-member court.

The California Interscholastic Federation, which governs high school sports statewide, says its policy is intended to keep athletic recruiting wars from spreading to the high school level.

Under the policy, a varsity athlete who transfers

between schools without changing residence to the new school attendance area must wait a year before competing in the same varsity sport. Non-varsity athletes who transfer also can be barred from competition for a year by the principal of either school, subject to an appeal to the CIF. Each CIF section can have rule allowing waivers of the varsity ban.

The case involved Keith Steffes, who played varsity basketball and volleyball at the private Brentwood School as a sophomore in 1983-84. When he transferred to the public Palisades High School the following year, without changing his residence, he was barred from playing either sport at the varsity level.

After losing appeals within the school system, he played junior varsity basketball at Palisades that year and varsity basketball his senior year, said his

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## Supreme Court refuses to hear case

lawyer, Tina Schuchman.

She said that when Steffes applied for a waiver from the ban, both the headmaster at Brentwood and the principal at Palisades declared that no recruiting had taken place, but the headmaster recommended against letting him play varsity sports at Palisades. Steffes' appeal to the CIF for a hardship exemption was rejected.

He then sued, claiming the transfer policy denied him a fundamental right to take part in extracurricular activities. But Los Angeles Superior Court Judge David Rothman ruled that no such fundamental right exists, and the 2nd District Court of Appeal agreed.

Although public education is a fundamental right under the California Constitution, the right to take part in school sports does not have equal constitutional status and can be denied under reasonable

policies, said the opinion by Justice Armand Arabian. He said the CIF policy was reasonably related to the goal of preventing abuses in student athletics.

The rule was "designed to prevent school-shopping by promising young high school athletes and to prevent their recruitment by overzealous coaches, fans and faculty members," said Arabian, writing for a three-member panel.

"The administrative difficulties and political pressures associated with making individual determinations regarding the validity of reasons given for an inter-school transfer are valid and justify adherence" to an across-the-board ban on competition, he said.

The ruling was given statewide effect by the Supreme Court's denial of a hearing.

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