

House File 495 - Introduced

HOUSE FILE _____
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 191)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to participation in varsity extracurricular
2 interscholastic contests and competitions by students.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2063HV 83
5 kh/nh/14

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1 1 Section 1. Section 256.46, Code 2009, is amended to read
1 2 as follows:
1 3 256.46 RULES FOR PARTICIPATION IN EXTRACURRICULAR
1 4 ACTIVITIES BY CERTAIN CHILDREN.
1 5 1. The state board shall adopt rules that permit a child
1 6 who does not meet the residence requirements for participation
1 7 in extracurricular interscholastic contests or competitions
1 8 sponsored or administered by an organization as defined in
1 9 section 280.13 to participate in the contests or competitions
1 10 immediately if the child is duly enrolled in a school, is
1 11 otherwise eligible to participate, and meets one of the
1 12 following circumstances or a similar circumstance: the child
1 13 has been adopted; the child is placed under foster or shelter
1 14 care; the child is living with one of the child's parents as a
1 15 result of divorce, separation, death, ~~or other change in the~~
~~1 16 child's parents' marital relationship, or pursuant to other~~
1 17 court-ordered decree or order of custody, unless it is
1 18 determined by an organization as defined in section 280.13
~~1 19 that the child's enrollment is for primarily athletic~~
~~1 20 purposes; the child is a foreign exchange student, unless~~
1 21 undue influence was exerted to place the child for primarily
1 22 athletic purposes; the child has been placed in a juvenile
1 23 correctional facility; the child is a ward of the court or the
1 24 state; the child is a participant in a substance abuse or
1 25 mental health program; or the child is enrolled in an
1 26 accredited nonpublic high school because the child's district
1 27 of residence has entered into a whole grade sharing agreement
1 28 for the pupil's grade with another district. The rules shall
1 29 permit a child who is otherwise eligible to participate, but
1 30 who does not meet one of the foregoing or similar
1 31 circumstances relating to residence requirements, to
1 32 participate at any level of competition other than the varsity
1 33 level.
1 34 2. The period of ineligibility from varsity-level
1 35 competition for a child who does not meet the residence
~~2 1 requirements or one of the circumstances listed in subsection~~
~~2 2 1 shall be the child's first one hundred eighty school days of~~
~~2 3 enrollment.~~
2 4 3. For purposes of this section and section 282.18,
2 5 "varsity" means the highest level of competition offered by
2 6 one school or school district against the highest level of
2 7 competition offered by an opposing school or school district.
2 8 Sec. 2. Section 282.18, subsection 13, Code 2009, is
2 9 amended to read as follows:
2 10 13. A pupil who participates in open enrollment for
2 11 purposes of attending a grade in grades nine through twelve in
2 12 a school district other than the district of residence is
2 13 ineligible to participate in varsity interscholastic athletic
2 14 contests and athletic competitions during the pupil's first
2 15 ~~ninety~~ one hundred eighty school days of enrollment in the
2 16 district except that the pupil may participate immediately in
2 17 a varsity interscholastic sport if the pupil is entering grade
2 18 nine for the first time and did not participate in an

2 19 interscholastic athletic competition for another school or
2 20 school district during the summer immediately following eighth
2 21 grade, if the district of residence and the other school
2 22 district jointly participate in the sport, if the sport in
2 23 which the pupil wishes to participate is not offered in the
2 24 district of residence, if the pupil chooses to use open
2 25 enrollment to attend school in another school district because
2 26 the district in which the student previously attended school
2 27 was dissolved and merged with one or more contiguous school
2 28 districts under section 256.11, subsection 12, if the pupil
2 29 participates in open enrollment because the pupil's district
2 30 of residence has entered into a whole grade sharing agreement
2 31 with another district for the pupil's grade, or if the parent
2 32 or guardian of the pupil participating in open enrollment is
2 33 an active member of the armed forces and resides in permanent
2 34 housing on government property provided by a branch of the
2 35 armed services. A pupil who has paid tuition and attended
3 1 school, or has attended school pursuant to a mutual agreement
3 2 between the two districts, in a district other than the
3 3 pupil's district of residence for at least one school year is
3 4 also eligible to participate immediately in interscholastic
3 5 athletic contests and athletic competitions under this
3 6 section, but only as a member of a team from the district that
3 7 pupil had attended. For purposes of this subsection, "school
3 8 days of enrollment" does not include enrollment in summer
3 9 school. For purposes of this subsection, "varsity" means the
3 10 same as defined in section 256.46.

3 11 EXPLANATION

3 12 This bill provides that a student who does not meet the
3 13 residence requirements for participation in varsity
3 14 interscholastic extracurricular contests and competitions
3 15 shall be ineligible for the student's first 180 days in the
3 16 school district and, for a student participating in open
3 17 enrollment, the bill increases from 90 to 180 the period the
3 18 student is ineligible to participate in varsity-level athletic
3 19 contests and athletic competitions.

3 20 The bill also provides that the exemption from the
3 21 prohibition for participation in extracurricular
3 22 interscholastic contests and competitions for a child who is
3 23 living with one of the child's parents as a result of divorce,
3 24 separation, or death is disallowed if an organization which
3 25 has as one of its primary purposes the sponsoring or
3 26 administration of extracurricular interscholastic athletic
3 27 contests or competitions determines that the child's
3 28 enrollment is for primarily athletic purposes.

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