

House File 2003 - Introduced

HOUSE FILE 2003

BY INGELS

A BILL FOR

1 An Act relating to the participation in extracurricular
2 interscholastic athletic contests and competitions by
3 students with disabilities who are enrolled in public
4 schools or nonpublic schools.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **256.47 Rules for participation in**
2 **extracurricular activities by certain students.**

3 The state board shall adopt rules, consistent with section
4 280.13, that allow a student with a disability who is twenty
5 years of age or older to participate in extracurricular
6 interscholastic contests or competitions sponsored or
7 administered by an organization as defined in section 280.13.

8 Sec. 2. Section 280.13, Code 2024, is amended to read as
9 follows:

10 **280.13 Requirements for interscholastic athletic contests and**
11 **competitions.**

12 1. A public school or a nonpublic school shall not
13 participate in or allow students representing a the
14 public school or nonpublic school to participate in any
15 extracurricular interscholastic athletic contest or competition
16 which is sponsored or administered by an organization as
17 defined in this section, unless the organization ~~is~~ satisfies
18 all of the following criteria:

19 a. The organization is registered with the department of
20 education, ~~files.~~

21 b. The organization files financial statements with the
22 department in the form and at the intervals prescribed by the
23 director of the department of education, ~~and.~~

24 c. The organization is in compliance with rules which the
25 state board of education adopts for the proper administration,
26 supervision, operation, adoption of eligibility requirements,
27 and scheduling of extracurricular interscholastic athletic
28 contests and competitions and the organizations.

29 d. The organization has established a process to grant
30 waivers allowing students with disabilities who are enrolled
31 in the public school or nonpublic school, and who are twenty
32 years of age or older, to participate in any extracurricular
33 interscholastic athletic contest or competition if the
34 organization determines that the waiver is in the public
35 interest. When determining whether a waiver is in the public

1 interest pursuant to this paragraph, the organization shall
2 consider all of the following:

3 (1) The contents of the student's individualized education
4 program or plan under section 504 of the federal Rehabilitation
5 Act, 29 U.S.C. §794.

6 (2) How long the student's individualized education program
7 or plan under section 504 of the federal Rehabilitation Act, 29
8 U.S.C. §794, has been in place.

9 (3) Whether the student turned twenty years of age during
10 the season in which the extracurricular interscholastic
11 athletic contest or competition takes place and should be
12 allowed to finish the season.

13 (4) How the student's participation in the extracurricular
14 interscholastic athletic contest or competition may benefit the
15 student.

16 (5) How the student's participation in the extracurricular
17 interscholastic athletic contest or competition may benefit
18 the public school or nonpublic school in which the student
19 is enrolled and the extracurricular interscholastic athletic
20 contest or competition.

21 2. The student's individualized education program or plan
22 under section 504 of the federal Rehabilitation Act, 29 U.S.C.
23 §794, shall be confidential and shall not be a public record
24 subject to disclosure by the organization under chapter 22.

25 3. For the purposes of this section, "organization" means
26 a corporation, association, or organization which has as one
27 of its primary purposes the sponsoring or administration
28 of extracurricular interscholastic athletic contests or
29 competitions, but does not include an agency of this state,
30 a public or private school or school board, or an athletic
31 conference or other association whose interscholastic contests
32 or competitions do not include more than twenty-four schools.

33

EXPLANATION

34 The inclusion of this explanation does not constitute agreement with
35 the explanation's substance by the members of the general assembly.

1 This bill relates to the participation in extracurricular
2 interscholastic athletic contests and competitions by students
3 with disabilities who are enrolled in public schools or
4 nonpublic schools.

5 Current law prohibits public schools from participating
6 in, or allowing students representing the public school from
7 participating in, any extracurricular interscholastic athletic
8 contest or competition that is sponsored or administered by an
9 organization, as defined in Code section 280.13, unless the
10 organization is registered with the department of education
11 (DE), files financial statements with DE, and complies
12 with rules adopted by the state board of education. The
13 bill modifies these provisions to prohibit public schools
14 and nonpublic schools from participating in, or allowing
15 students representing the school from participating in, any
16 extracurricular interscholastic athletic contest or competition
17 that is sponsored or administered by an organization unless
18 the organization has established a process to grant waivers
19 allowing students with disabilities who are 20 years of age or
20 older to participate in any extracurricular interscholastic
21 athletic contest or competition if the organization determines
22 that the waiver is in the public interest. The bill
23 establishes factors the organization is to consider when
24 determining whether such a waiver is in the public interest.

25 The bill requires the state board of education to adopt
26 rules, consistent with these provisions, that allow a
27 student with a disability who is 20 years of age or older to
28 participate in extracurricular interscholastic contests or
29 competitions sponsored or administered by an organization.