

4. Recommendations for change for issues including effectiveness and competitiveness.
5. Development of additional publications to improve compliance.

The committee shall annually report to the general assembly by January 1 of each year through January 1, 2013.

Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 29, 2005

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## CHAPTER 78

### REGISTRATION OF POSTSECONDARY SCHOOLS — COLLEGES AND UNIVERSITIES ESTABLISHED BY CITY ORDINANCE

H.F. 398

**AN ACT** adding an exemption for colleges and universities established by city ordinance to the requirements relating to the registration of postsecondary schools.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 261B.11, Code 2005, is amended by adding the following new subsection:

**NEW SUBSECTION.** 12. Not-for-profit colleges and universities established and authorized by city ordinance to grant degrees.

Approved April 29, 2005

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## CHAPTER 79

### STUDENT PARTICIPATION IN EXTRACURRICULAR INTERSCHOLASTIC ACTIVITIES

H.F. 423

**AN ACT** relating to participation in secondary school interscholastic sports at the varsity and inferior levels.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 256.46, Code 2005, is amended to read as follows:

**256.46 RULES FOR PARTICIPATION IN EXTRACURRICULAR ACTIVITIES BY CERTAIN CHILDREN.**

The state board shall adopt rules that permit a child who does not meet the residence

requirements for participation in extracurricular interscholastic contests or competitions sponsored or administered by an organization as defined in section 280.13 to participate in the contests or competitions immediately if the child is duly enrolled in a school, is otherwise eligible to participate, and meets one of the following circumstances or a similar circumstance: the child has been adopted; the child is placed under foster or shelter care; the child is living with one of the child's parents as a result of divorce, separation, death, or other change in the child's parents' marital relationship, or pursuant to other court-ordered decree or order of custody; the child is a foreign exchange student; the child has been placed in a juvenile correctional facility; the child is a ward of the court or the state; the child is a participant in a substance abuse or mental health program; or the child is enrolled in an accredited nonpublic high school because the child's district of residence has entered into a whole grade sharing agreement for the pupil's grade with another district. The rules shall permit a child who is otherwise eligible to participate, but who does not meet one of the foregoing or similar circumstances relating to residence requirements, to participate at any level of competition inferior to the varsity level. For purposes of this section and section 282.18, "varsity" means the highest level of competition offered by one school or school district against the highest level of competition offered by an opposing school or school district.

Sec. 2. Section 282.18, subsection 13, Code 2005, is amended to read as follows:

13. A pupil who participates in open enrollment for purposes of attending a grade in grades ~~ten~~ nine through twelve in a school district other than the district of residence is ineligible to participate in varsity interscholastic athletic contests and athletic competitions during the pupil's first ninety school days of enrollment in the district except that the pupil may participate immediately in an a varsity interscholastic sport if the pupil is entering grade nine for the first time and did not participate in an interscholastic athletic competition for another school or school district during the summer immediately following eighth grade, if the district of residence and the other school district jointly participate in the sport, if the sport in which the pupil wishes to participate is not offered in the district of residence, if the pupil chooses to use open enrollment to attend school in another school district because the district in which the student previously attended school was dissolved and merged with one or more contiguous school districts under section 256.11, subsection 12, if the pupil participates in open enrollment because the pupil's district of residence has entered into a whole grade sharing agreement with another district for the pupil's grade, or if the parent or guardian of the pupil participating in open enrollment is an active member of the armed forces and resides in permanent housing on government property provided by a branch of the armed services. A pupil who has paid tuition and attended school, or has attended school pursuant to a mutual agreement between the two districts, in a district other than the pupil's district of residence for at least one school year ~~prior to March 10, 1989~~, is also eligible to participate immediately in interscholastic athletic contests and athletic competitions under this section, but only as a member of a team from the district that pupil had attended. For purposes of this subsection, "school days of enrollment" ~~do does~~ not include enrollment in summer school. For purposes of this subsection, "varsity" means the same as defined in section 256.46.

Approved April 29, 2005