

## CHAPTER 1079

### OPEN ENROLLMENT AND VARSITY ATHLETICS ELIGIBILITY — HARASSMENT OR BULLYING

H.F. 2264

**AN ACT** concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying and including effective date provisions.

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

Section 1. Section 282.18, subsection 11, Code 2016, is amended to read as follows:

11. A pupil who participates in open enrollment for purposes of attending a grade in grades 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 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, or if the district of residence determines that the pupil was previously subject to a founded incident of harassment or bullying as defined in [section 280.28](#) while attending school in the district of residence. 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 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" does not include enrollment in summer school. For purposes of [this subsection](#), "varsity" means the same as defined in [section 256.46](#).

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

Approved April 7, 2016