

JAN 25 2005  
EDUCATION

HOUSE FILE 129  
BY MURPHY and RAECKER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to participation in secondary school  
2 interscholastic sports at the varsity and inferior levels.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 129

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

3 256.46 RULES FOR PARTICIPATION IN EXTRACURRICULAR  
4 ACTIVITIES BY CERTAIN CHILDREN.

5 The state board shall adopt rules that permit a child who  
6 does not meet the residence requirements for participation in  
7 extracurricular interscholastic contests or competitions  
8 sponsored or administered by an organization as defined in  
9 section 280.13 to participate in the contests or competitions  
10 immediately if the child is duly enrolled in a school, is  
11 otherwise eligible to participate, and meets one of the  
12 following circumstances or a similar circumstance: the child  
13 has been adopted; the child is placed under foster or shelter  
14 care; the child is living with one of the child's parents as a  
15 result of divorce, separation, death, or other change in the  
16 child's parents' marital relationship, or pursuant to other  
17 court-ordered decree or order of custody; the child is a  
18 foreign exchange student; the child has been placed in a  
19 juvenile correctional facility; the child is a ward of the  
20 court or the state; the child is a participant in a substance  
21 abuse or mental health program; or the child is enrolled in an  
22 accredited nonpublic high school because the child's district  
23 of residence has entered into a whole grade sharing agreement  
24 for the pupil's grade with another district. The rules shall  
25 permit a child who is otherwise eligible to participate, but  
26 who does not meet one of the foregoing or similar  
27 circumstances relating to residence requirements, to  
28 participate at any level of competition inferior to the  
29 varsity level. For purposes of this section and section  
30 282.18, "varsity" means the highest level of competition  
31 offered by one school or school district against the highest  
32 level of competition offered by an opposing school or school  
33 district.

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

1 13. A pupil who participates in open enrollment for  
2 purposes of attending a grade in grades ~~ten~~ nine through  
3 twelve in a school district other than the district of  
4 residence is ineligible to participate in varsity  
5 interscholastic athletic contests and athletic competitions  
6 during the pupil's first ninety school days of enrollment in  
7 the district except that the pupil may participate immediately  
8 in an a varsity interscholastic sport if the pupil is entering  
9 grade nine for the first time and did not participate in an  
10 interscholastic athletic competition for another school or  
11 school district during the summer immediately following eighth  
12 grade, if the district of residence and the other school  
13 district jointly participate in the sport, if the sport in  
14 which the pupil wishes to participate is not offered in the  
15 district of residence, if the pupil chooses to use open  
16 enrollment to attend school in another school district because  
17 the district in which the student previously attended school  
18 was dissolved and merged with one or more contiguous school  
19 districts under section 256.11, subsection 12, if the pupil  
20 participates in open enrollment because the pupil's district  
21 of residence has entered into a whole grade sharing agreement  
22 with another district for the pupil's grade, or if the parent  
23 or guardian of the pupil participating in open enrollment is  
24 an active member of the armed forces and resides in permanent  
25 housing on government property provided by a branch of the  
26 armed services. A-pupil-who-has-paid-tuition-and-attended  
27 school, or has attended school pursuant to a mutual agreement  
28 between the two districts, in a district other than the  
29 pupil's district of residence for at least one school year  
30 prior to March 10, 1989, is also eligible to participate  
31 immediately in interscholastic athletic contests and athletic  
32 competitions under this section, but only as a member of a  
33 team from the district that pupil had attended. For purposes  
34 of this subsection, "school days of enrollment" ~~do~~ does not  
35 include enrollment in summer school. For purposes of this

1 subsection, "varsity" means the same as defined in section  
2 256.46.

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EXPLANATION

This bill makes a child eligible to participate immediately in extracurricular interscholastic athletic contests or competitions sponsored by bona fide extracurricular interscholastic athletic organizations, as long as the child is otherwise eligible to participate and the contests or competitions are below the varsity level. The bill also makes a ninth grade student who participates in open enrollment eligible to participate immediately in a varsity interscholastic sport if the pupil is entering grade nine for the first time.

The bill defines "varsity" as the highest level of students of one school in competition against the highest level of students of one or more other schools.