

ELIGIBILITY RULES GOVERNING ATHLETICS

The following state rules for athletic eligibility are presented for information only. Rule implementation is governed by Administrative Regulation #510.1-R.

The following eligibility rules governing athletics have been established in Chapter 281 of the Iowa Administrative Code, Section 36.

281-36.1 DEFINITIONS

Whenever the following terms are used, they shall refer to the following definitions:

“All-Star” means a secondary student from a high school interscholastic athletic team whose outstanding performance is the basis for the student’s selection to compete individually in an all-star contest, or on an all-star high school team to compete with other all-stars from several other high school teams against another all-star team in a contest created for an all-star contest. An “all-star” shall not include a 12th grade student whose interscholastic athletic season for the sport in question has concluded. (Note, however, that Bylaw 14.6 of the National Collegiate Association (NCAA) (as revised 7/30/10 states that a “student-athlete shall be denied the first year of intercollegiate athletics competition if, following completion of high-school eligibility in the student-athlete’s sport and prior to the student-athlete’s high-school graduation, the student-athlete competes in more than two all-star football contests or two all-star basketball contests.)

“All-Star contest” means an event for which admission is charged at which all-starts compete during the school year against other all-stars, either individually or as all-star teams. “All-star contests” shall not include non-invitational events for which students audition or try-out or the auditions (are) try-outs themselves.

“Associate member school” means a nonaccredited nonpublic school that has been granted associate member status by any corporation, association, or organization registered with the State Department of Education pursuant to Iowa Code section 280.13, upon approval by the department based upon proof of compliance with:

1. Iowa Code Section 279.19B, and rules adopted by the Department of Education related to the qualifications of the affected teaching staff, and
2. The student eligibility rules of this chapter.

Associate membership is subject to the requirements, dues, or other obligations established by the organization for which associate membership is sought.

“Coach” means an individual, with coaching endorsement or

authorization as required by Iowa law, employed by a school district under the provisions of an extracurricular athletic contract or employed by a nonpublic school in a position responsible for an extracurricular athletic activity. “Coach” also includes an individual who instructs, diagnoses, prescribes, evaluates, assists, or directs student learning of an interscholastic endeavor on a voluntary basis on behalf of a school or school district.

“*Compete*” means participating in an interscholastic contest or competition, and includes dressing in full team uniform for the interscholastic contest or competition, as well as participating in pre-game warm-up exercises with team members. “Compete” does not include any managerial, recordkeeping, or other non-competitor functions performed by a student on behalf of a member or associate member school.

“*Department*” means the State Department of Education.

“*Dropout*” means a student who quit school because of extenuating circumstances over which the student had no control or who voluntarily withdrew from school. This does not include a student who has been expelled or one who was doing failing work when the student voluntarily dropped from school.

“*Executive Board*” means the governing body authorized under a constitution or bylaws to establish policy for an organization registered under this chapter.

“*Executive officer*” means the executive director or secretary of each governing organization.

“*Member school*”, for the purposes of this chapter, means a public school or accredited nonpublic school that has been granted such status by any corporation, association, or organization registered with the State Department of Education pursuant to Iowa Code section 280.13.

“*Parent*” means the natural or adoptive parent or guardian having actual bona fide custody of a student.

“*Student*” means a person under 20 years of age enrolled in grades 9 through 12. For purposes of these rules, ninth grade begins with the summer immediately following eighth grade. The rules contained herein shall apply uniformly to all students.

“*Superintendent*” means a superintendent of a local school or a duly authorized representative.

Every year each student shall present to the student's superintendent a certificate signed by a licensed physician and surgeon, osteopathic physician and surgeon, osteopath, qualified doctor of chiropractic, licensed physician's assistant, or advanced registered nurse practitioner (ARNP), to the effect that the student has been examined and may safely engage in athletic competition.

Each doctor of chiropractic licensed as of July 1, 1974, shall affirm on each certificate of physical examination completed that the affidavit required by Iowa Code Section 151.8 is on file with the Iowa Board of Chiropractic Examiners.

The certificate of physical examination is valid for the purpose of this rule for one calendar year. A grace period not to exceed 30 calendar days is allowed for expired physical certifications.

36.14(2) SPORTSMANSHIP

It is the clear obligation of member and associate member schools to ensure that their contestants, coaches, and spectators in all interscholastic competitions to practice the highest principles of sportsmanship and ethics of competition. The governing organization shall have the authority to penalize any member school, associate member school, contestant or coach in violation of this obligation.

36.14(3) AWARDS

- a. Awards from a secondary school or registered organization. A student will be permitted to receive from the student's school, another secondary school, a registered organization, or the host of an event sanctioned by a registered organization, for participation in an interscholastic athletic program, an award whose value cannot exceed \$50.
- b. Awards for participation in school programs from an individual or organization other than a secondary school or registered organization. No student shall receive any award from an individual or outside organization for high school participation while enrolled in high school, except that nothing in this subrule shall preclude the giving of a complimentary dinner by local individuals, organizations, or groups, with approval of the superintendent, to members of the local high school athletic squad. No student shall accept any trip or excursion of any kind by any individual, organization, or group outside the student's own school or the governing organization with the exception of bona fide recruiting trips that meet NCAA requirements. Nothing in this subrule shall preclude or prevent the awarding and the acceptance of an inexpensive, unmounted, unframed paper certificate of recognition as an award, or an inexpensive table favor which is given to everyone attending a banquet.

- c. Awards for participation in nonschool programs. If a student participates in an outside school activity, the student may receive any award provided that the award does not violate the amateur award rule of the amateur sanctioning body for that sport. In the absence of an applicable amateur award rule, the student may not receive any award the value of which exceeds \$50.
- d. Absolute prohibition on cash. At no time may any student accept an award of cash.
- e. Compliance. The superintendent or designee shall be held responsible for compliance with this subrule. Questions or interpretation regarding medals or awards shall be referred to the Executive Board.

36.14(4) INTERSTATE COMPETITIONS

Every student participating in interstate athletic competition on behalf of the student's school must meet the eligibility rules.

36.14(5) COMPETITION SEASONS

The length of training periods and competition seasons shall be determined solely by the governing organization.

36.14(6) TOURNAMENTS

The number and type of state tournaments for the various sports shall be determined by the organization. In scheduling and conducting these tournaments, the organization shall have the final authority for determining the tournament eligibility of all participants. Organization bylaws shall provide for a timely method of seeking an internal review of initial decisions regarding tournament eligibility.

36.14(7) INELIGIBLE PLAYER PARTICIPATION

Member or associate member schools that permit or allow participation in any event by a person in violation of the eligibility rules or by a student who has been suspended shall be subject to sanctions the Executive Board may, in the best interests of interscholastic competition, impose, including forfeiture of contests. The sanctions may include, but are not limited to, the following: forfeiture of contests or events or both, involving any ineligible student(s); adjustment or relinquishment of conference/ district/tournament standings; and return of team awards or individual awards or both.

If a student who has been declared ineligible or who has been suspended is permitted to participate in an interscholastic competition because of a current restraining order or injunction against the school, registered organization, or department of education, and if such restraining order or injunction subsequently is voluntarily vacated,

stayed, reversed, or finally determined by the courts not to justify injunctive relief, the sanctions listed above may be imposed.

This rule is intended to implement Iowa Code section 280.13.

LOCAL ELIGIBILITY AND STUDENT CONDUCT RULES

Local boards of education may impose additional eligibility requirements not in conflict with these rules. Nothing herein shall be construed to prevent a local school board from declaring a student ineligible to participate in interscholastic competition by reason of the student's violation of rules adopted by the school pursuant to Iowa Code Sections 279.8 and 279.9. A member or associate member school shall not allow any student, including any transfer student, to compete until such time as the school has reasonably reliable proof that the student is eligible to compete for the member or associate member school under these rules.

36.15(2) SCHOLARSHIP RULES

- A. All contestants must be enrolled and in good standing in a school that is a member or associate member in good standing of the organization sponsoring the event.
- B. All contestants must be under 20 years of age.
- C. All contestants shall be enrolled students of the school in good standing. They shall receive credit in at least four subjects, each of one period or "hour" or the equivalent thereof, at all times.

To qualify under this rule, a "subject" must meet the requirements of 281-Chapter 12. Coursework taken from a postsecondary institution and for which a school district or accredited nonpublic school grants academic credit toward high school graduation shall be used in determining eligibility. No student shall be denied eligibility if the student's school program deviates from the traditional two-semester school year.

1. Each contestant shall be passing all coursework for which credit is given and shall be making adequate progress toward graduation requirements at the end of each grading period. Grading period, graduation requirements, and any interim periods of ineligibility are determined by local policy. For purposes of this subrule, "grading period" shall mean the period of time at the end of which a student in grades 9 through 12 receives a final grade and course credit is awarded for passing grades.
2. If at the end of any grading period a contestant is given a failing grade in any course for which credit is awarded, the contestant is ineligible to dress for and compete in the next

occurring interscholastic athletic contests and competitions in which the contestant is a contestant for 30 consecutive calendar days.

- D. A student with a disability who has an individualized education program shall not be denied eligibility on the basis of scholarship if the student is making adequate progress, as determined by school officials, towards the goals and objectives on the student's individualized education program.
- E. A student who meets all other qualifications may be eligible to participate in interscholastic athletics for a maximum of eight consecutive semesters upon entering the ninth grade for the first time. However, a student who engages in athletics during the summer following eighth grade is also eligible to compete during the summer following twelfth grade. Extenuating circumstances, such as health, may be the basis for an appeal to the Executive Board which may extend the eligibility of a student when the Executive Board finds that the interests of the student and interscholastic athletics will be benefited.
- F. All member schools shall provide appropriate interventions and necessary academic supports for students who fail or who are at risk to fail, and shall report to the department regarding those interventions on the comprehensive school improvement plan.
- G. A student is academically eligible upon entering the ninth grade.
- H. A student is not eligible to participate in an interscholastic sport if the student has, in that same sport, participated in a contest with or against, or trained with, a National Collegiate Athletic Association (NCAA), national Junior College Athletic Association (NJCAA), National Association of Intercollegiate Athletics (NAIA), or other collegiate governing organization's sanctioned team. A student may not participate with or against high school graduates if the graduates represent a collegiate institution or if the event is sanctioned or sponsored by a collegiate institution. Nothing in this subrule shall preclude a student from participating in a one-time tryout with or against members of a college team with permission from the member school's administration and the respective collegiate institution's athletic administration.
- I. No student shall be eligible to participate in any given interscholastic athletic sport if the student has engaged in that sport professionally.
- J. The local superintendent of schools, with the approval of the local board of education, may give permission to a dropout student to participate in athletics upon return to school if the student is otherwise eligible under these rules.

- K. Remediation of a failing grade by way of summer school or other means shall not affect the student's ineligibility. All failing grades shall be reported to any school to which the student transfers.

36.15(3) GENERAL TRANSFER RULE

A student who transfers from a school in another state or country or from one member or associate member school to another member or associate member school shall be ineligible to compete in interscholastic athletics for a period of 90 consecutive school days, as defined in 281-subrule 12.1(256), exclusive of summer enrollment, unless one of the exceptions listed in paragraph 36.15(3) "A" applies. The period of ineligibility applies only to varsity level contests and competitions. ("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.) The student will become eligible at 4:00 PM on the 90th day.

In ruling upon the eligibility of transfer students, the Executive Board shall consider the factors motivating student changes in residency. Unless otherwise provided in these rules, a student intending to establish residency must show that the student is physically present in the district for the purpose of making a home and not solely for school or athletic purposes.

- A. Exceptions – The Executive Officer or Executive Board shall consider and apply the following exceptions in formally or informally ruling upon the eligibility of a transfer student and may make eligibility contingent upon proof that the student has been in attendance in the new school for at least ten school days:
1. Upon contemporaneous change in parental residence, a student is immediately eligible if the student transfers to the new district of residence or to an accredited nonpublic member or associate member school located in the new school district of residence. In addition, if with a contemporaneous change in parental residence, the student had attended an accredited nonpublic member or associate member school immediately prior to the change in parental residence, the student may have immediate eligibility if the student transfers to another accredited nonpublic member or associate member school.
 2. If the student is attending in a school district as a result of a whole- grade sharing agreement between the student's resident district and the new school district of attendance, the student is immediately eligible.
 3. A student who has attended high school in a district other than where the student's parent(s) resides, and who subsequently returns to live with the student's parent(s)

becomes immediately eligible in the parent's resident district.

4. Pursuant to Iowa Code Section 256.46, a student whose residence changes due to any of the following circumstances is immediately eligible provided the student meets all other eligibility requirements in these rules and those set by the school of attendance:
 - (a.) Adoption.
 - (b.) Placement in foster or shelter care.
 - (c.) Participation in a foreign exchange program recognized by the school of attendance.
 - (d.) Placement in a juvenile correction facility.
 - (e.) Participation in a substance abuse program.
 - (f.) Participation in a mental health program.
 - (g.) Court decree that the student is a ward of the state or of the court.
 - (h.) The child is living with one of the child's parents as a result of divorce decree, separation, death, or other change in the child's parents' marital relationship, or pursuant to other court-ordered decree or order of custody.
5. A transfer student who attends in a member or associate member school that is a party to a cooperative student participation agreement, as defined in Rule 36.20(280), with the member or associate member school the student previously attended is immediately eligible in the new district to compete in those interscholastic athletic activities covered by the cooperative agreement.
6. Any student whose parents change district of residence but who remains in the original district without interruption in attendance continues to be eligible in the member or associate member school of attendance.
7. A special education student whose attendance center changes due to a change in placement agreed to by the district of residence is eligible in either the resident district or the district of attendance, but not both.
8. A student who is found by the attending district to be a homeless child or youth as defined in rule 281-33.2(256).
9. In any transfer situation not provided for elsewhere in this chapter, the Executive Board shall exercise its administrative authority to make any eligibility ruling which it deems to be fair and reasonable. The Executive Board shall consider the motivating factors for the student transfer. The determination shall be made in writing with the reasons for the determination clearly delineated.

- B. In ruling upon the transfer of students who have been emancipated by marriage or have reached the age of majority, the Executive Board shall consider all circumstances with regard to the transfer to determine if it is principally for school or athletic purposes, in which case participation shall not be approved.
- C. A student who participates in the name of a member or associate member school during the summer following eighth grade is ineligible to participate in the name of another member or associate member school in the first 90 consecutive school days of ninth grade unless a change of residence has occurred after the student began participating in the summer.
- D. A school district that has more than one high school in its district shall set its own eligibility policies regarding intradistrict transfers.

256.46 INELIGIBLE TRANSFER STUDENTS

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 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, unless undue influence was exerted to place the child for primarily athletic purposes; 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 other than 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 one school or school district against the highest level of competition offered by an opposing school or school district.

36.15(4) OPEN ENROLLMENT TRANSFER RULE

A student in grades 9 through 12 whose transfer of schools had occurred due to a request for open enrollment by the student's parent or guardian is ineligible to compete in interscholastic athletics during the first 90 school days of transfer except that a student may participate

immediately if the student is entering grade 9 for the first time and did not participate in an interscholastic athletic competition for another school during the summer immediately following eighth grade. The period of ineligibility applies only to varsity level contests and competitions. ("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.) The student will become eligible at 4:00 PM on the 90th day. This period on ineligibility does not apply if the student:

- A. Participates in an athletic activity in the receiving district that is not available in the district of residence; or
- B. Participates in an athletic activity for which the resident and receiving districts have a cooperative student participation agreement pursuant to Rule 36.20(280); or
- C. Has paid tuition for one or more years to the receiving school district prior to making application for and being granted open enrollment; or
- D. Has attended in the receiving district for one or more years prior to making application for and being granted open enrollment under a sharing or mutual agreement between the resident and receiving districts; or
- E. Has been participating in open enrollment and whose parents/guardians move out of their district of residence but exercise either the option of remaining in the original open enrollment district or enrolling in the new district of residence. If the pupil has established athletic eligibility under open enrollment, it is continued despite the parent's or guardian's change in residence; or
- F. Has not been participating in open enrollment, but utilizes open enrollment to remain in the original district of residence following a change of residence of the student's parent(s). If the pupil has established athletic eligibility, it is continued despite the parent's or guardian's change in residence; or
- G. Obtains open enrollment due to the dissolution and merger of the former district of residence under Iowa Code Subsection 256.11(12); or
- H. Obtains open enrollment due to the pupil's district of residence entering into a whole-grade sharing agreement on or after July 1, 1990, including the grade in which the pupil would be enrolled at the start of the whole-grade sharing agreement; or
- I. Participates in open enrollment and the parent/guardian is an active member of the armed forces and resides in permanent housing

on government property provided by a branch of the armed services.

- J. 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.

282.18(13) OPEN ENROLLMENT

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 the 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 265.11 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 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

36.15(5) ELIGIBILITY FOR OTHER ENROLLMENT OPTIONS

- A. Shared-time students – A nonpublic school student who is enrolled only part-time in the public school district of the student's residence under a "shared-time" provision or for driver education is not eligible to compete in interscholastic athletics in the public school district.
- B. Dual enrollment - A student who receives competent private instruction, not in an accredited nonpublic or public school, may seek dual enrollment in the public school of the student's resident district and is eligible to compete in interscholastic athletic competition in the resident school district provided the student meets

the eligibility requirements of these rules and those set by the public school of attendance.

If a student seeking such dual enrollment is enrolled in an associate member school of the Iowa Girls' High School Athletic Union or Iowa High School Athletic Association, the student is eligible for and may participate in interscholastic athletic competition only for the associate member school or a school with which the associate member school is in a cooperative sharing agreement. (Eligibility in such case is governed by 281 IAC 36.1(280).)

Any ineligibility imposed under this chapter shall begin with the first day of participation under dual enrollment. Any period of ineligibility applies only to varsity level contests and competitions. ("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.)

- C. Competent Private Instruction - A student who receives competent private instruction, and is not dual-enrolled in a public school, may participate in and be eligible for interscholastic athletics at an accredited nonpublic school if the student is accepted by that school and the student meets the eligibility requirements of this chapter and those set by the accredited nonpublic school where the student participates. Application shall be made to the accredited nonpublic school on a form provided by the Department of Education.

If a student seeking such participation is enrolled in an associate member school of the Iowa Girls' High School Athletic Union or Iowa High School Athletic Association, the student is eligible for and may participate in interscholastic athletic competition only for the associate member school or a school with which the associate member school is in a cooperative sharing agreement. (Eligibility in such case is governed by 281 IAC 36.1(280).)

Any ineligibility imposed under this chapter shall begin with the first day of participation with the accredited nonpublic school. Any period of ineligibility applies only to varsity level contests and competitions. ("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.)

36.15(7) NONSCHOOL TEAM PARTICIPATION

The local school board shall by policy determine whether or not participation in nonschool athletic events during the same season is permitted and provide penalties for students who may be in violation of the board's policy.

This rule is intended to implement Iowa Code, Sections 256.46, 280.13 and 282.18.

36.16(280) EXECUTIVE BOARD REVIEW

A student, parent of a minor student, or school contesting the ruling of a student's eligibility based on these rules, other than subrule 36.15(1), or paragraphs 36.15(2) "c", "d", "f", and "k", or a school contesting a penalty imposed under subrule 36.15(6), paragraph "b", shall be required to state the basis of the objections in writing, and may also request an oral hearing, addressed to the Executive Officer of the board of the governing organization. The Executive Officer shall schedule a hearing before the Executive Board on or before the next regularly scheduled meeting of the Executive Board, but not later than 20 calendar days following the receipt of the objections unless a later time is mutually agreeable. The Executive Board shall give at least 5 business days written notice of the hearing. The Executive Board shall consider the evidence presented and issue findings and conclusions in a written decision within 5 business days of the hearing, mailing a copy to appellant.

36.17(280) APPEALS TO THE DIRECTOR

If the claimant is still dissatisfied, an appeal may be made in writing to the Director of Education by giving written notice of the appeal to the State Director of Education with a copy by registered mail to the Executive Officer of the governing organization. An appeal shall be in the form of an affidavit and shall be filed within 10 business days after the date of mailing of the decision of the governing organization. The Director of Education shall establish a date for hearing within 20 calendar days of receipt of written notice of appeal by giving at least 5 business days written notice of hearing to appellant unless another time is mutually agreeable. The procedures for hearing adopted by the State Board of Education and found at 281-Chapter 6 shall be applicable, except that the decision of the Director is final. Appeals to the Executive Board and the State Director are not contested cases under Iowa Code Subsection 17A.2(2).

Legal Ref.: Iowa Code §§ 17A.2(2); 151.8; 256.11(10); 256.11(12); 261C; 279.8, .9; 280.13; 282.18 (2013).
281 I.A.C. 12.2(2); 12.5(8); 12.5(19); 12.5(20); 36.1, .14(1)-.14(7), .15(1)-.15(5), .15(7), .16, .17, 20.

Cross Ref.: 510.5 Athletic Transfer Rule
510.61 Nonschool Team Participation

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