

A bill for an act
relating to education; making some transfer students under the state's open
enrollment program ineligible for postseason tournament competitions; amending
Minnesota Statutes 2006, section 124D.03, subdivision 6.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 124D.03, subdivision 6, is amended to
read:

Subd. 6. **Basis for decisions.** (a) The board must adopt, by resolution, specific
standards for acceptance and rejection of applications. Standards may include the capacity
of a program, class, or school building. The school board may not reject applications
for enrollment in a particular grade level if the nonresident enrollment at that grade
level does not exceed the limit set by the board under subdivision 2. Standards may not
include previous academic achievement, athletic or other extracurricular ability, disabling
conditions, proficiency in the English language, previous disciplinary proceedings, or
the student's district of residence.

(b) A high school student who transfers to another school district under this program
is ineligible to participate in any varsity athletic or fine arts postseason tournament
competitions in the enrolling district for one calendar year from the date the student
enrolls in that district unless the student:

(1) is enrolling in ninth grade for the first time;

(2) is transferring because the student's parent or legal guardian changes place of
residency in Minnesota; or

(3) is subject to a juvenile court disposition order or a child protection order placing
the student in a foster home.

H.F. No. 941, as introduced - 85th Legislative Session (2007-2008)

2.1 This paragraph does not apply to students who attend the first day of instruction in
2.2 the enrolling district and participate in courses or programs under section 124D.09.

2.3 **EFFECTIVE DATE.** This section is effective the day following final enactment
2.4 and applies to the 2007-2008 school year and later.