

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 2589

(SENATE AUTHORS: HOUSLEY and Thompson)

DATE	D-PG	OFFICIAL STATUS
03/12/2014	6164	Introduction and first reading Referred to Education

1.1 A bill for an act
 1.2 relating to education; allowing high school students with disabilities to transfer
 1.3 between schools without affecting their eligibility for varsity competition;
 1.4 amending Minnesota Statutes 2012, section 128C.02, subdivision 5.

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

1.6 Section 1. Minnesota Statutes 2012, section 128C.02, subdivision 5, is amended to read:

1.7 Subd. 5. **Rules for open enrollees.** (a) The league shall adopt league rules and
 1.8 regulations governing the athletic participation of pupils attending school in a nonresident
 1.9 district under section 124D.03.

1.10 (b) Notwithstanding other law or league rule or regulation to the contrary, when a
 1.11 student enrolls in or is readmitted to a recovery-focused high school after successfully
 1.12 completing a licensed program for treatment of alcohol or substance abuse, mental illness,
 1.13 or emotional disturbance, the student is immediately eligible to participate on the same basis
 1.14 as other district students in the league-sponsored activities of the student's resident school
 1.15 district. Nothing in this paragraph prohibits the league or school district from enforcing a
 1.16 league or district penalty resulting from the student violating a league or district rule.

1.17 (c) Notwithstanding other law or league rule or regulation to the contrary, a student
 1.18 with an individualized education program or a 504 plan who transfers from one public
 1.19 school to another public school as a reasonable accommodation to reduce barriers to
 1.20 educational access is immediately eligible to participate in league-sponsored varsity
 1.21 competition on the same basis as other students in the school to which the student transfers.

1.22 **EFFECTIVE DATE.** This section is effective the day following final enactment
 1.23 and applies to all transfers initiated after that date.