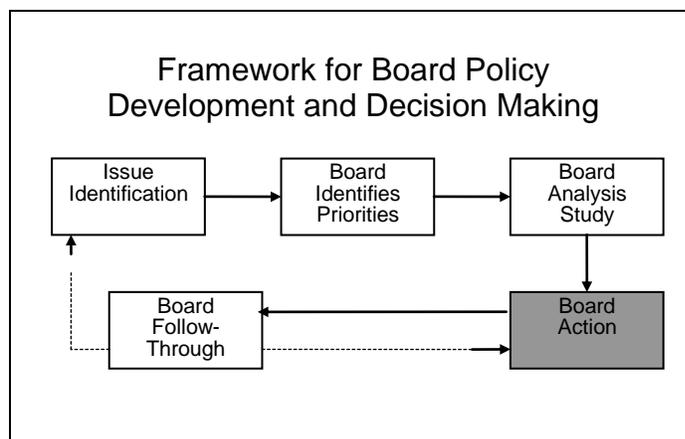


Iowa State Board of Education

Executive Summary

November 17, 2010



Agenda Item: Rules: Chapter 36 - Extracurricular Interscholastic Competition (Notice)

Iowa Goal: All K-12 students will achieve at a high level.

Equity Impact Statement: This rule amendment removes a confusing paragraph that was potentially at odds with Public Education and Recreation Levy statutes.

Presenter: None (consent agenda)

Attachments: 1

Recommendation: It is recommended that the Board give public notice of its intent to amend Chapter 36.

Background: After the State Board gave Notice at its September meeting of its intent to amend other rules within Chapter 36, management teams from the Iowa High School Athletic Association (IHSAA) and the Iowa Girls High School Athletic Union (IGHSAU) requested a meeting with the Department regarding the very confusing “open gym” rule. Rescinding the paragraph that regulated open gyms eliminates a confusing rule that posed potential conflict with the Public Education and Recreation Levy (Iowa Code sections 300.1, 300.2), and leaves intact the prohibition of out-of-season contact between coaches and students, which is the primary emphasis of the subrule. This edit and those approved for Notice in September will all come before the Board for adoption in January 2011.

EDUCATION DEPARTMENT [281]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend Chapter 36, “Extracurricular Interscholastic Competition,” Iowa Administrative Code.

The proposed amendment is the result of a recent proposal made by Department staff after meeting with management of the Iowa High School Athletic Association (IHSAA) and the Iowa Girls High School Athletic Union (IGHSAU). It was determined that rescinding paragraph 36.15(6)“c” eliminates widespread confusion regarding “open gyms.” Additionally, paragraphs “a” and “b” of subrule 36.15(6) sufficiently address all elements of paragraph “c” with the exception of the requirement that notice of “open gym” be posted on the general student information bulletin board and shall be signed or initialed by a school administrator other than the coach supervising the open gym, a matter that is better left to the discretion of local school administrators.

An agencywide waiver provision is provided in 281—Chapter 4.

Interested individuals may make written comments on the proposed amendments on or before January 4, 2011, at 4:30 p.m. Comments on the proposed amendments should be directed to Carol Greta, Office of the Director, Iowa Department of Education, Second Floor, Grimes State Office Building, Des Moines, Iowa 50319–0146; telephone (515)281–8661; E–mail carol.greta@iowa.gov; or fax (515)281–4122.

This amendment is intended to implement Iowa Code section 280.13.

The following amendment is proposed.

Rescind paragraph **36.15(6)“c.”**