

5498

2013-2014 Regular Sessions

I N A S S E M B L Y

February 28, 2013

Introduced by M. of A. GABRYSZAK -- read once and referred to the
Committee on Education

AN ACT to amend the education law, in relation to eligibility for senior
high school athletic competition

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The education law is amended by adding a new section 3208-b
2 to read as follows:
3 S 3208-B. ELIGIBILITY FOR SENIOR HIGH SCHOOL ATHLETIC COMPETITION;
4 DISABILITY EXCEPTION. THE COMMISSIONER SHALL PROMULGATE REGULATIONS TO
5 ALLOW A WAIVER OF THE FOUR-YEAR LIMITATION ON ELIGIBILITY FOR SENIOR
6 HIGH SCHOOL ATHLETIC COMPETITION WHEN A STUDENT WITH A DEVELOPMENTAL OR
7 PHYSICAL DISABILITY, WHO IS OTHERWISE QUALIFIED TO COMPETE AND HAS BEEN
8 SELECTED FOR SUCH COMPETITION IN THE PAST, HAS NOT YET GRADUATED HIGH
9 SCHOOL. THE COMMISSIONER SHALL DEFINE DEVELOPMENTAL OR PHYSICAL DISABIL-
10 ITY FOR PURPOSES OF THIS WAIVER IN ACCORDANCE WITH PART 200 OF THE
11 COMMISSIONER'S REGULATIONS. SUCH WAIVER SHALL BE REQUESTED BY THE
12 ATHLETIC DIRECTOR OF SUCH STUDENT'S SCHOOL AND THE SUPERINTENDENT OF
13 SUCH SCHOOL'S DISTRICT AND MAY BE GRANTED BY SUCH SCHOOL DISTRICT'S
14 SECTION OF THE NEW YORK STATE PUBLIC HIGH SCHOOL ATHLETIC ASSOCIATION.
15 SUCH WAIVER SHALL ONLY ALLOW PARTICIPATION ON AN UNOFFICIAL, NON-SCORING
16 BASIS IN A NON-CONTACT OR NON-COLLISION SPORT, PROVIDED THAT ANOTHER
17 QUALIFIED STUDENT, WHO IS OTHERWISE ELIGIBLE FOR COMPETITION, IS NOT
18 DENIED THE OPPORTUNITY TO PARTICIPATE.
19 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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