S T A T E O F N E W Y O R K

2764

2013-2014 Regular Sessions

I N S E N A T E

January 23, 2013

Introduced by Sen. RANZENHOFER -- read twice and ordered printed, and when printed to be committed 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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding a new section 3208-b to read as follows:

S 3208-B. ELIGIBILITY FOR SENIOR HIGH SCHOOL ATHLETIC COMPETITION; DISABILITY EXCEPTION. THE COMMISSIONER SHALL PROMULGATE REGULATIONS TO ALLOW A WAIVER OF THE FOUR-YEAR LIMITATION ON ELIGIBILITY FOR SENIOR HIGH SCHOOL ATHLETIC COMPETITION WHEN A STUDENT WITH A DEVELOPMENTAL OR PHYSICAL DISABILITY, WHO IS OTHERWISE QUALIFIED TO COMPETE AND HAS BEEN SELECTED FOR SUCH COMPETITION IN THE PAST, HAS NOT YET GRADUATED HIGH SCHOOL. THE COMMISSIONER SHALL DEFINE DEVELOPMENTAL OR PHYSICAL DISABILITY FOR PURPOSES OF THIS WAIVER IN ACCORDANCE WITH PART 200 OF THE COMMISSIONER'S REGULATIONS. SUCH WAIVER SHALL BE REQUESTED BY THE ATHLETIC DIRECTOR OF SUCH STUDENT'S SCHOOL AND THE SUPERINTENDENT OF SUCH SCHOOL'S DISTRICT AND MAY BE GRANTED BY SUCH SCHOOL DISTRICT'S SECTION OF THE NEW YORK STATE PUBLIC HIGH SCHOOL ATHLETIC ASSOCIATION. SUCH WAIVER SHALL ONLY ALLOW PARTICIPATION ON AN UNOFFICIAL, NON-SCORING BASIS IN A NON-CONTACT OR NON-COLLISION SPORT, PROVIDED THAT ANOTHER QUALIFIED STUDENT, WHO IS OTHERWISE ELIGIBLE FOR COMPETITION, IS NOT DENIED THE OPPORTUNITY TO PARTICIPATE.

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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