

LAWS OF DELAWARE
VOLUME 84
CHAPTER 344
152nd GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 260

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF EDUCATION AND THE DELAWARE INTERSCHOLASTIC ATHLETIC ASSOCIATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 122, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 122. Rules and regulations.

(b) The Department shall prescribe rules and regulations:

~~(15) Governing the conduct of interscholastic athletics between all public schools and such nonpublic schools as shall become member schools in the Delaware Interscholastic Association. Rules and regulations on this subject shall be proposed by the Secretary subject to approval by the State Board of Education. The Secretary, with the approval of the State Board, shall delegate to the Delaware Interscholastic Athletic Association the authority, with Department oversight and subject to State Board review of disputes involving such rules and regulations, to implement the Department's rules and regulations on this subject. The Department shall not approve any rule or regulation that denies a student the right to simultaneously try out for, practice with or participate in games on a team similar to the school team on which that student is a member, except that the authority for such dual membership and participation on a similar team shall be authorized only upon written consent by the parent, custodian or guardian of the student. Such written consent shall clearly state the authority to participate on a particularly specified team of a designated organization or institution;~~
[Repealed.]

Section 2. Amend § 303, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 303. Regulations, policies, and procedures.

(a) The Board shall ~~work in consultation and cooperation with the Department in the development of~~ promulgate regulations relating to member school interscholastic athletics. The Board ~~and the Department~~ may develop necessary policies and procedures to implement this chapter.

(b)(1) The ~~Board, in consultation and cooperation with the Department,~~ Board shall develop regulations relating to secondary and middle school interscholastic athletics. ~~The~~ In addition to the regulations required under § 304 of this title and § 10111 and § 10113 of Title 29, the regulations must include at least all of the following:

a. Regulation of interscholastic athletic programs of each public school at the middle and high school levels.

b. Regulation of the interscholastic athletic program of each nonpublic school that elects to become a member school.

c. The manner in which a nonpublic school may elect to become a member school.

d. Eligibility requirements for a student to participate in interscholastic athletics.

e. Requirements for a student who participates in interscholastic athletics and nonschool competitions.

f. Requirements for a coach or sports official in interscholastic sports.

g. Sanctioning of school team competitions.

h. Other matters affecting interscholastic athletics.

(2) The Board may not approve a regulation that denies a student the right to simultaneously try out for, practice with, or participate in a game on a team similar to the school team on which that student is a member. The Board may, however, authorize dual membership and participation on a similar team only upon written consent by the student's parent, custodian, or guardian. The written consent must clearly state the authority to participate on a particularly specified team of a designated organization or institution.

Section 3. Amend § 304, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 304. Other duties, powers, and authority.

The Board has the duties, powers, and authority necessary for the enforcement of this chapter and the regulations adopted under this chapter. Regulations under this chapter must do at least all of the following:

(1) Establish annual membership fees.

(2) Establish standing committees.

(3) Determine the existence of a violation of the regulations by a member school, athlete, coach, administrator, official, or spectator and penalize a violation by official reprimand, placement on probation, fine, suspension, or other action as the Board deems appropriate.

(4) Investigate, conduct a hearing on, and take action on an alleged violation of a regulation under this chapter that a member school, athlete, coach, administrator, official, or spectator commits.

(5) Interpret ~~the Department's~~ regulations made under this ~~section~~, chapter, and conduct hearings and take action on requests for a waiver of the regulations.

(6) Establish the fee for officiating a contest or competition.

Approved August 2, 2024