

West's District of Columbia Code Annotated 2001 Edition
Division VI. Education, Libraries, and Cultural Institutions.
Title 38. Educational Institutions. (Refs & Annos)
Subtitle VIII. State Level Agencies and Activities.
Chapter 26A-I. District of Columbia State Athletics Commission and State Athletic Association.
Subchapter I. Short Title and Definitions.

DC ST § 38-2661.01

§ 38-2661.01. Short title.

Effective: April 7, 2017

Currentness

This chapter may be cited as the "District of Columbia State Athletics Commission Establishment and State Athletic Association Reorganization Act of 2016".

Credits

(Apr. 7, 2017, D.C. Law 21-263, § 101, 64 DCR 2110.)

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Subchapter I. Short Title and Definitions.

DC ST § 38-2661.02

§ 38-2661.02. Definitions.

Effective: April 7, 2017

Currentness

For the purposes of this chapter, the term:

- (1) "Athletic appeals panel" means a review panel composed of 3 voting members of the District of Columbia State Athletics Commission.

- (2) "Athletic League" includes the District of Columbia Interscholastic Athletic Association or its successor, the Public Charter School Athletic Association or its successor, and any other collaborative of LEAs or schools the purpose of which is to organize interscholastic athletic completions against other members of the collaborative.

- (3) "Commission" means the District of Columbia State Athletics Commission.

- (4) "DCPS" means the District of Columbia Public Schools.

- (5) "DCSAA" means the District of Columbia State Athletic Association.

- (6) "DCSAA-sponsored sport" means a sport in which DCSAA hosts a state championship.

- (7) "DCSAA-sanctioned competition" means an interscholastic athletic event or program governed by DCSAA membership standards.

(8) "Interscholastic athletics program" means all athletic activities or sports offered within a school, the purpose of which is to provide opportunities for students to compete with other students on like teams in other schools.

(9) "Local education agency" or "LEA" means the District of Columbia Public Schools system or any individual or group of public charter schools operating under a single charter.

(10) "Member school" means a public, public charter, parochial, or private school in the District that is a member of the DCSAA.

(11) "OSSE" means the Office of the State Superintendent of Education.

(12) "Participant" means an enrolled student who is attending a member school and who is listed on the tryout roster or official team roster of a school-sponsored athletic team that participates in the school's interscholastic athletics program.

(13) "Participant eligibility" means the status of a student's fitness to participate in a DCSAA-sanctioned competition based on both residency and academic requirements.

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DC ST § 38-2661.11

§ 38-2661.11. District of Columbia State Athletics Commission; establishment; composition; terms; vacancies.

Effective: April 7, 2017

Currentness

(a) There is established, as an independent agency, a commission to be known as the District of Columbia State Athletics Commission.

(b) The Commission shall consist of 9 voting members, appointed by the Mayor, with the advice and consent of the Council, in accordance with § 1-523.01(f), and 6 ex-officio nonvoting members.

(c)(1) At least one of each of the following shall be appointed as a voting member of the Commission:

(A) A parent of a student enrolled in member public charter school located in the District;

(B) A parent of a student enrolled in a DCPS school;

(C) A parent of a student enrolled at a private or parochial member school located in the District;

(D) A member of the District of Columbia Interscholastic Athletic Association, or its successor; and

(E) A member of the Public Charter Interscholastic Athletic Association, or its successor, if a majority of public charter schools that offer interscholastic athletics programs are members of the DCSAA.

(2) Voting members shall be residents of the District of Columbia.

(3)(A) Voting members shall serve regular terms of 4 years and may be reappointed for a single term of 4 years, except that of the members first appointed, the Mayor shall designate 3 to serve terms of 4 years, 2 to serve terms of 3 years, 2 to serve terms of 2 years, and 2 to serve a term of one year.

(B) The initial term for voting members shall begin on the date that a majority of the voting members are sworn in, which shall become the anniversary date for all subsequent appointments.

(C) Where a vacancy occurs for reasons other than the expiration of the voting member's term, the Mayor shall appoint, with the advice and consent of the Council, an individual to serve in the vacant position, taking into consideration the criteria of this subsection.

(D) Any voting member appointed to fill a vacancy shall be appointed only for the remainder of the predecessor's term.

(E) A vacancy appointment shall not count toward the term-limits otherwise provided in this paragraph.

(4) The Mayor shall not remove a voting member except for cause.

(d)(1) The ex-officio nonvoting members of the Commission shall be:

(A) The Director of OSSE, or his or her designee;

(B) The Chancellor of DCPS, or his or her designee;

(C) The Chair of the Public Charter School Board, or his or her designee;

(D) The Deputy Mayor for Education, or his or her designee;

(E) The Director of the Department of Parks and Recreation, or his or her designee; and

(F) The Director of the Department of General Services, or his or her designee.

(2) Nonvoting members shall support the Commission by providing information and advice related to interscholastic athletic programming and by advancing policies and programs consistent with the work of the Commission.

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DC ST § 38-2661.12

§ 38-2661.12. Commission administration.

Effective: April 7, 2017

Currentness

(a) The Commission shall choose annually from among its members a Chairperson and such other officers as it deems necessary. All meetings of the Commission shall be called by the Chairperson or a majority of the members, except the first meeting of the Commission shall be called by the Mayor.

(b) A majority of the Commission's voting members, not including any vacant or unfilled positions, shall constitute a quorum sufficient for conducting the business of the Commission.

(c)(1) The Commission shall meet at least quarterly.

(2) All meetings shall be held in the District, be open to the public, and provide a reasonable time during the meeting for public comment.

(3) A voting member's absence from 2 consecutive meetings or any 3 meetings in a calendar year shall be cause for removal.

(d) Members of the Commission shall serve without compensation, but shall be entitled to receive, in accordance with applicable District of Columbia law, reimbursement for expenses incurred while actually performing duties vested in the Commission.

(e)(1) The Commission shall employ an Executive Director and may employ such other staff as necessary to support its efficient operation.

(2) The Commission shall appoint the Executive Director, who shall serve a 3-year term, by majority vote. The Executive Director may be reappointed by a majority vote. After notice and an opportunity to be heard, the Commission may remove the Executive Director only for cause that relates to the Executive Director's character or efficiency by a majority vote of the Commission.

(f) Within 100 days after the date on which a majority of the voting members are sworn in, the Commission shall adopt rules of governance and procedure pertaining to its operations and the operations of athletic appeals panels, which it shall make publicly available.

(g)(1) The Mayor shall provide funding for the Commission in the annual budget request to the Council as a separate program code within the budget request for OSSE.

(2) The Commission shall submit annual oversight and budget reports to the Council through OSSE.

(3) Nothing in this subsection shall be construed as granting OSSE power or authority over the Commission, the DCSAA, or their staff.

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DC ST § 38-2661.13

§ 38-2661.13. Duties of the Commission.

Effective: April 7, 2017

Currentness

The Commission shall:

- (1) Oversee the functions and operations of the DCSAA;
- (2) Recommend changes to and annually approve the DCSAA handbook;
- (3) Establish athletic appeals panels pursuant to § 38-2661.14 and issue the final decisions of such panels;
- (4) Advise the Mayor, OSSE, and the Council on matters related to interscholastic athletics in the District and recommend rules to regulate interscholastic athletics programs and competitions; and
- (5) Take actions necessary and consistent with the laws of the District to implement its duties under this section.

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DC ST § 38-2661.14

§ 38-2661.14. Commission athletic appeals panels.

Effective: April 7, 2017

Currentness

(a) The Commission shall establish athletic appeals panels to hear appeals from LEA decisions related to participant eligibility and decisions of the DCSAA.

(b)(1) The Chairperson of the Commission shall appoint a separate athletic appeals panel for each matter brought before the Commission. Each panel shall be composed of 3 voting members.

(2) A voting member who represents an athletic league shall not hear an appeal to which a member of the same athletic league is a party.

(3) A voting member of the Commission shall disclose a potential conflict of interest, as defined by the Commission in its rules of governance and procedure, in any matter before the Commission and shall not be appointed to an appeals panel for that matter.

(c) An athletic appeals panel shall hear all issues relating to an appeal de novo, except that the evidence before the panel shall be limited to the record made before the LEA or the DCSAA unless a party seeks to introduce relevant evidence that, in the exercise of reasonable diligence, it could not have produced during the initial hearing on the complaint or that was improperly excluded from the initial hearing on the complaint.

(d)(1) In a written decision, the Commission shall issue the decision of an athletic appeals panel affirming or denying the decision of an LEA or the DCSAA.

(2) The decision of the Commission shall be final.

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DC ST § 38-2661.21

§ 38-2661.21. District of Columbia State Athletic Association; reorganization.

Effective: April 7, 2017

Currentness

(a)(1) The District of Columbia State Athletic Association shall be established as an office under the direction and control of the Commission.

(2)(A) By October 1, 2018, but not before the first meeting of the Commission, the Mayor shall transfer to the DCSAA within the Commission such positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or assigned to the District of Columbia State Athletic Association or the State Athletic Office within OSSE, at which time such subordinate offices within OSSE shall be abolished.

(B) Nothing in this paragraph shall be construed as obligating the Commission or the DCSAA to employ personnel transferred pursuant to this paragraph for any period of time.

(3) All rules, orders, obligations, determinations, grants, contracts, licenses, and agreements of the OSSE relating to functions transferred to the DCSAA pursuant to this section shall remain in effect according to their terms until lawfully amended, repealed, or modified.

(b)(1) The Executive Director of the Commission shall serve as Director of the DCSAA.

(2) Subject to the direction and supervision of the Commission, the Director of the DCSAA shall:

(A) Manage the budget and operations of the DCSAA in a manner that reflects DCSAA's mission;

(B) Provide administrative support to the Commission;

(C) Be the personnel authority for DCSAA employees;

(D) Employ a General Counsel, who shall serve as chief legal advisor to the DCSAA, and such other subordinate staff consistent with the needs and budget of the DCSAA; and

(E) Regularly report on the DCSAA's activities to the Commission.

(3) The Executive Director of the Commission shall not serve as a voting or ex-officio member of the Commission or on an athletic appeals panel.

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DC ST § 38-2661.22

§ 38-2661.22. District of Columbia State Athletic Association; purpose; mission; duties.

Effective: April 7, 2017

Currentness

(a) The purpose of the DCSAA is to provide leadership and support for interscholastic athletics programs in the District.

(b) The mission of the DCSAA is to:

- (1) Ensure that interscholastic athletics programs are compatible with the educational mission of member schools;
- (2) Provide for fair competition between member schools;
- (3) Promote sportsmanship and ethical behavior for participants, coaches, administrators, officials, and spectators;
- (4) Promote gender equity and equal access to athletic opportunity; and
- (5) Protect the physical well-being of participants and promote healthy adolescent lifestyles.

(c) The DCSAA shall:

- (1) Support the duties of the Commission;

- (2) Set and enforce membership standards; provided, that such standards shall be consistent with existing District laws and regulations;
- (3) Certify member schools' coaches and event officials;
- (4) Possess exclusive jurisdiction over the implementation and enforcement of the Mayor's rules and regulations governing the conduct of interscholastic athletics programs, including regulations related to participant eligibility; provided, that nothing in this subparagraph shall be construed as limiting or affecting the power of the Commission to issue a final decision on an appeal to an appeals panel;
- (5) Ensure member school compliance with applicable District laws and regulations related to participant health and safety;
- (6) Develop and offer training guidance on the health, safety, and wellness of participants pursuant to national best practices;
- (7) Sanction competitions and establish seasons for DCSAA-sponsored sports;
- (8) Enforce Chapter 8C of this title;
- (9) Annually publish and distribute a handbook containing the playing rules, codes of conduct, sanctions, and guidelines for every DCSAA-sponsored sport; provided, that except as otherwise approved by the Commission, the DCSAA handbook shall incorporate the playing rules, codes of conduct, sanctions, and guidelines contained in the National Federation of State High School Associations' ("NFHS") Rules Books;
- (10) Except as otherwise provided by law or regulation, hear and decide complaints as authorized in § 38-2661.26;
- (11) Administer the State Athletic Activities, Programs, and Office Fund established by § 38-2672; and
- (12) Take actions consistent with the responsibilities outlined in this subsection, DCSAA's mission, and governing laws and regulations.

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DC ST § 38-2661.23

§ 38-2661.23. District of Columbia State Athletic Association; membership.

Effective: April 7, 2017

Currentness

(a) All schools in the DCPS system with an interscholastic athletics program serving grades 9 to 12 shall be members of DCSAA and subject to its membership standards.

(b) A public charter, parochial, or private school in the District with an interscholastic athletics program serving grades 9 to 12 that agrees to abide by DCSAA's membership standards and applicable District laws and regulations governing interscholastic athletics programs may become a DCSAA member and shall be subject to its membership standards.

(c) The DCSAA shall develop and offer training guidance on District regulations necessary to achieve or maintain membership.

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DC ST § 38-2661.24

§ 38-2661.24. District of Columbia State Athletic Association; coach and event official qualifications.

Effective: April 7, 2017

Currentness

(a) The DCSAA shall administer knowledge examinations for coaches and event officials of each DCSAA-sponsored sport no less than 4 times each year.

(b)(1) To qualify as a coach or event official for a DCSAA-sponsored sport, an individual shall have passed a DCSAA-administered knowledge examination for the sport in the last 5 years or demonstrate knowledge of the sport sufficient for DCSAA to waive the examination requirement.

(2) Knowledge exams shall be based on the National Federation of State High School Associations' sports knowledge exams.

(c) The DCSAA shall collect and maintain records related to the certification and qualifications of member schools' coaches and event officials.

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DC ST § 38-2661.25

§ 38-2661.25. District of Columbia State Athletic Association; participant eligibility documentation.

Effective: April 7, 2017

Currentness

(a) The DCSAA shall collect and maintain from member schools:

- (1) Participant eligibility lists;
- (2) Waivers of participant eligibility;
- (3) Member school or LEA decisions on participant eligibility;
- (4) Documentation of penalties a member school or LEA has imposed for eligibility violations; and
- (5) Policies on participant eligibility, the eligibility decision-making process, and penalties for eligibility violations.

(b) The DCSAA shall issue guidance to member schools on best practices for participant eligibility policies, decision-making, and record-keeping.

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DC ST § 38-2661.26

§ 38-2661.26. District of Columbia State Athletic Association; complaint resolution.

Effective: April 7, 2017

Currentness

(a) The DCSAA shall hear and decide complaints:

(1) Related to its membership standards;

(2) Arising under the DCSAA handbook; or

(3) Related to participant eligibility arising between a DCPS and non-DCPS member school participating in a DCSAA-sanctioned competition or arising between a member school and non-member school participating in a DCSAA-sanctioned competition.

(b) The parties to a complaint shall comply with DCSAA requests for information related to the allegations in the complaint.

(c) The DCSAA shall issue written findings in support of any decision issued pursuant to this section.

(d) Nothing in this section shall be construed as authorizing the DCSAA to hear or decide:

(1) Appeals from participant eligibility decisions issued by a member school or LEA; or

(2) Complaints wherein the parties have failed to exhaust existing administrative remedies.

(e) A party may appeal a DCSAA decision issued under this section to an athletic appeals panel.

Credits

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DC ST § 38-2661.31

§ 38-2661.31. Rules governing interscholastic athletics programs.

Effective: April 7, 2017

Currentness

Within 120 days after April 7, 2017, the Mayor, pursuant to subchapter I of Chapter 5 of Title 2, shall issue rules, consistent with this chapter governing interscholastic athletics programs in the District.

Credits

(Apr. 7, 2017, D.C. Law 21-263, § 113, 64 DCR 2110.)

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