

1 CHARTER AND ONLINE SCHOOLS -
2 PARTICIPATION IN EXTRACURRICULAR
3 ACTIVITIES

4 2008 GENERAL SESSION

5 STATE OF UTAH

6 Chief Sponsor: Mark B. Madsen

7 House Sponsor: _____
8

9 LONG TITLE

10 Committee Note:

11 The Education Interim Committee recommended this bill.

12 General Description:

13 This bill addresses the eligibility of charter school students and students who participate
14 in online education programs to participate in extracurricular activities.

15 Highlighted Provisions:

16 This bill:

17 ▶ provides that a charter school student is eligible to participate in extracurricular
18 activities not offered by the student's charter school at:

19 • the public school within whose boundaries the student's custodial parent or legal
20 guardian resides; or

21 • ~~§→ [a public school that is open for the enrollment of nonresident students]~~ the public
21a school from which the student withdrew for the purpose of attending a charter school; ~~←§~~ ;

22 ▶ provides that a student who participates in an online education program sponsored
23 or supported by a school district or charter school is eligible to participate in
24 extracurricular activities at:

25 • the public school within whose boundaries the student's custodial parent or legal
26 guardian resides; or

27 • ~~§→ [a public school that is open for the enrollment of nonresident students]~~ the public
27a school from which the student withdrew for the purpose of participating in an online

27b education program; ~~←§~~ ; and

S.B. 36



28 ▶ allows a board of education of a school district to establish a fee for the
29 participation of a charter school student or online education student in an
30 extracurricular activity at a district school.

31 **Monies Appropriated in this Bill:**

32 None

33 **Other Special Clauses:**

34 None

35 **Utah Code Sections Affected:**

36 ENACTS:

37 **53A-1a-519**, Utah Code Annotated 1953

38 **53A-2-214**, Utah Code Annotated 1953



40 *Be it enacted by the Legislature of the state of Utah:*

41 Section 1. Section **53A-1a-519** is enacted to read:

42 **53A-1a-519. Charter school students' participation in extracurricular activities at**
43 **other public schools.**

44 (1) A charter school student is eligible to participate in extracurricular activities not
45 offered by the student's charter school at:

46 (a) the school within whose attendance boundaries the student's custodial parent or
47 legal guardian resides; or

48 (b) ~~§→ [a school that is open for the enrollment of nonresident students under Section~~
49 ~~53A-2-207 and rules of the State Board of Education] the public school from which the student~~
49a ~~withdrew for the purpose of attending a charter school ←§ .~~

50 (2) A school other than a school described in Subsection (1)(a) or (b) may allow a
51 charter school student to participate in extracurricular activities other than:

52 (a) interschool competitions of athletic teams sponsored and supported by a public
53 school; or

54 (b) interschool contests or competitions for music, drama, or forensic groups or teams
55 sponsored and supported by a public school.

56 (3) A charter school student is eligible for extracurricular activities at a public school
57 consistent with eligibility standards as applied to full-time students of the public school.

58 (4) A school district or public school may not impose additional requirements on a

59 charter school student to participate in extracurricular activities that are not imposed on
 60 full-time students of the public school, except as provided in Subsection (5).

61 (5) (a) (i) A board of education for a school district may charge a fee to a charter school
 62 for a charter school student's participation in an extracurricular activity at a district school.

63 (ii) The fee charged to a charter school is in addition to the fee charged to students
 64 who participate in the extracurricular activity.

65 (b) A fee established under Subsection (5)(a) shall be calculated as follows:

66 (i) subtract from the cost of conducting the extracurricular activity at the district
 67 school:

68 (A) capital facilities costs;

69 (B) student fees paid for participation in the extracurricular activity;

70 (C) gate receipts and other sales receipts attributed to the extracurricular activity; and

71 (D) private donations dedicated to the extracurricular activity; and

72 (ii) divide the remainder by the number of students enrolled in the district school.

73 (6) When selection to participate in an extracurricular activity at a public school is
 74 made on a competitive basis, a charter school student is eligible to try out for and participate in
 75 the activity as provided in this section.

76 Section 2. Section **53A-2-214** is enacted to read:

77 **53A-2-214. Online students' participation in extracurricular activities.**

78 (1) As used in this section:

79 (a) "Online education" means the use of information and communication technologies
 80 to deliver educational opportunities to a student in a location other than a school.

81 (b) "Online student" means a student who:

82 (i) participates in an online education program sponsored or supported by the State
 83 Board of Education, a school district, or charter school; and

84 (ii) generates funding for the school district or school pursuant to Subsection
 85 53A-17a-103(5) and rules of the State Board of Education.

86 (2) An online student is eligible to participate in extracurricular activities at:

87 (a) the school within whose attendance boundaries the student's custodial parent or
 88 legal guardian resides; or

89 (b) ~~§ → [a school that is open for the enrollment of nonresident students under Section ← §~~

90 ~~§→ 53A-2-207 and rules of the State Board of Education] the public school from which the student~~
 90a ~~withdrew for the purpose of participating in an online education program ←§ .~~

91 (3) A school other than a school described in Subsection (2)(a) or (b) may allow an
 92 online student to participate in extracurricular activities other than:

93 (a) interschool competitions of athletic teams sponsored and supported by a public
 94 school; or

95 (b) interschool contests or competitions for music, drama, or forensic groups or teams
 96 sponsored and supported by a public school.

97 (4) An online student is eligible for extracurricular activities at a public school
 98 consistent with eligibility standards as applied to full-time students of the public school.

99 (5) A school district or public school may not impose additional requirements on an
 100 online student to participate in extracurricular activities that are not imposed on full-time
 101 students of the public school, except as provided in Subsection (6).

102 (6) (a) (i) A board of education for a school district may charge a fee to a school
 103 district or charter school that supports or sponsors a student's online education program for the
 104 online student's participation in an extracurricular activity at a district school.

105 (ii) The fee charged to the school district or charter school is in addition to the fee
 106 charged to students who participate in the extracurricular activity.

107 (b) A fee established under Subsection (6)(a) shall be calculated as follows:

108 (i) subtract from the cost of conducting the extracurricular activity at the district
 109 school:

110 (A) capital facilities costs;

111 (B) student fees paid for participation in the extracurricular activity;

112 (C) gate receipts and other sales receipts attributed to the extracurricular activity; and

113 (D) private donations dedicated to the extracurricular activity; and

114 (ii) divide the remainder by the number of students enrolled in the district school.

115 (7) When selection to participate in an extracurricular activity at a public school is
 116 made on a competitive basis, an online student is eligible to try out for and participate in the
 117 activity as provided in this section.

Legislative Review Note
as of 11-16-07 9:58 AM

Office of Legislative Research and General Counsel

Fiscal Note**S.B. 36 - Charter and Online Schools - Participation in Extracurricular
Activities**

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill may result in increased costs to local school districts through calculating and collecting the fees outlined in the bill. Fee revenue collected by school districts may provide an offset to school districts for some of these costs. Students enrolled in a charter school or online school wishing to participate in extra-curricular activities may benefit through greater access and lower participation costs.
