

**CHARTER AND ONLINE SCHOOLS -  
PARTICIPATION IN EXTRACURRICULAR  
ACTIVITIES**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mark B. Madsen**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**Committee Note:**

The Education Interim Committee recommended this bill.

**General Description:**

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

**Highlighted Provisions:**

This bill:

- ▶ provides that a charter school student is eligible to participate in extracurricular activities not offered by the student's charter school at:
  - the public school within whose boundaries the student's custodial parent or legal guardian resides; or
  - a public school that is open for the enrollment of nonresident students;
- ▶ provides that a student who participates in an online education program sponsored or supported by a school district or charter school is eligible to participate in extracurricular activities at:
  - the public school within whose boundaries the student's custodial parent or legal guardian resides; or
  - a public school that is open for the enrollment of nonresident students; and



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.

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.

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**

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

2008 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**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.

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