

Senator Mark B. Madsen proposes the following substitute bill:

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

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mark B. Madsen

House Sponsor: Craig A. Frank

LONG TITLE

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
 - the public school from which the student withdrew for the purpose of attending a charter school;
- ▶ 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



- 26 • the public school from which the student withdrew for the purpose of
- 27 participating in an online education program; and
- 28 ▶ directs the State Board of Education to make rules establishing fees for charter
- 29 school students and online students to participate in extracurricular activities at a
- 30 school 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) the public school from which the student withdrew for the purpose of attending a
49 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.

61 (5) (a) The State Board of Education shall make rules establishing fees for charter
62 school students' participation in extracurricular activities at school district schools.

63 (b) The rules shall provide that:

64 (i) charter school students pay the same fees as other students to participate in
65 extracurricular activities;

66 (ii) charter school students are eligible for fee waivers pursuant to Section 53A-12-103;

67 (iii) for each charter school student who participates in an extracurricular activity at a
68 school district school, the charter school shall pay a share of the school district's costs for the
69 extracurricular activity; and

70 (iv) a charter school's share of the costs of an extracurricular activity shall reflect state
71 and local tax revenues expended, except capital facilities expenditures, for an extracurricular
72 activity in a school district or school divided by total student enrollment of the school district
73 or school.

74 (c) In determining a charter school's share of the costs of an extracurricular activity
75 under Subsection (5)(b)(iii) and (iv), the State Board of Education may establish uniform fees
76 statewide based on average costs statewide or average costs within a sample of school districts.

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

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

81 **53A-2-214. Online students' participation in extracurricular activities.**

82 (1) As used in this section:

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

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

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

88 (ii) generates funding for the school district or school pursuant to Subsection
89 53A-17a-103(5) and rules of the State Board of Education.

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

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

93 (b) the public school from which the student withdrew for the purpose of participating
94 in an online education program

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

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

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

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

103 (5) A school district or public school may not impose additional requirements on an
104 online school student to participate in extracurricular activities that are not imposed on
105 full-time students of the public school.

106 (6) (a) The State Board of Education shall make rules establishing fees for an online
107 school students' participation in extracurricular activities at school district schools.

108 (b) The rules shall provide that:

109 (i) online school students pay the same fees as other students to participate in
110 extracurricular activities;

111 (ii) online school students are eligible for fee waivers pursuant to Section 53A-12-103;

112 (iii) for each online school student who participates in an extracurricular activity at a
113 school district school, the online school shall pay a share of the school district's costs for the
114 extracurricular activity; and

115 (iv) an online school's share of the costs of an extracurricular activity shall reflect state
116 and local tax revenues expended, except capital facilities expenditures, for an extracurricular
117 activity in a school district or school divided by total student enrollment of the school district
118 or school.

119 (c) In determining an online school's share of the costs of an extracurricular activity
120 under Subsection (6)(b)(iii) and (iv), the State Board of Education may establish uniform fees
121 statewide based on average costs statewide or average costs within a sample of school districts.

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

Fiscal Note**S.B. 36 1st Sub. (Green) - 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

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.
