

HOUSE BILL No. 2702

By Committee on Education

Requested by Representative Younger

2-6

1 AN ACT concerning education; relating to the Kansas state high school
2 activities association; specifying eligibility requirements for
3 participation by students enrolled in nonpublic schools; amending
4 K.S.A. 2023 Supp. 72-7121 and 72-7122 and repealing the existing
5 sections.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2023 Supp. 72-7121 is hereby amended to read as
9 follows: 72-7121. (a) Any student who meets the requirements of this
10 section shall be permitted to participate in any activities offered by a
11 school district that are regulated, supervised, promoted and developed by
12 the activities association referred to in K.S.A. 72-7114, and amendments
13 thereto. A student shall be permitted to participate in any such activities if
14 such student:

- 15 (1) Is a resident of the school district;
- 16 (2) is enrolled and attending a nonpublic elementary or secondary
17 school;
- 18 (3) complies with the requirements of K.S.A. 72-6262, and
19 amendments thereto, prior to participation in any such activity;
- 20 (4) meets any applicable age and eligibility requirements set forth by
21 the activities association referred to in K.S.A. 72-7114, and amendments
22 thereto, that are not otherwise in conflict with this section;
- 23 (5) pays any fees required by the school district for participation in
24 such activity if such fees are generally imposed upon all other students
25 who participate in such activity; ~~and~~
- 26 (6) seeks participation at the appropriate school of the school district
27 that corresponds to where such student resides within the school district's
28 respective school attendance boundaries established by the board of
29 education of the school district; *and*
30 (7) *is participating in an activity that is not offered at such student's*
31 *nonpublic school if such nonpublic school is a member of the activities*
32 *association.*

33 (b) (1) Any student attending a home school who seeks to participate
34 in an activity in the student's resident school district shall be deemed to
35 meet any academic eligibility requirements established by the activities

1 association for participation in an activity if:

2 (A) The student is maintaining satisfactory progress towards
3 achievement or promotion to the next grade level *as demonstrated by*
4 *passing not less than five subjects in the semester immediately preceding*
5 *the semester during which the student seeks to participate in an activity;*
6 and

7 (B) the parent, teacher or organization that provides instruction to the
8 student submits ~~an affidavit~~ or a transcript to the activities association
9 indicating the student meets the academic eligibility requirements of
10 subparagraph (A).

11 (2) Upon submission of ~~an affidavit~~ a transcript, the student
12 attending a home school shall be deemed to meet any academic eligibility
13 requirements established by the activities association and shall retain such
14 academic eligibility during the activity season for which such affidavit is
15 submitted.

16 (c) The board of education of a school district may require a student
17 who participates in an activity pursuant to this section to enroll in a
18 particular course or complete a particular course as a condition of
19 participation, if such requirement is imposed upon all other students who
20 participate in such activity.

21 (d) Except as provided in subsection (b), any student who seeks to
22 participate in an activity pursuant to this section shall be subject to any
23 tryout or other participation requirements that are otherwise applicable to
24 all other students for participation in the activity.

25 ~~(e) This section shall take effect on and after July 1, 2023.~~

26 Sec. 2. K.S.A. 2023 Supp. 72-7122 is hereby amended to read as
27 follows: 72-7122. ~~(a)~~ The activities association referred to in K.S.A. 72-
28 7114, and amendments thereto, shall not prohibit a student primarily
29 enrolled in and attending a nonpublic school who enrolls part time in a
30 public school from participating in any activity available to such student as
31 part of such student's primary enrollment and attendance at a nonpublic
32 school, *if such student is enrolled in a total of not less than five subjects.*

33 ~~(b) This section shall take effect on and after July 1, 2023.~~

34 Sec. 3. K.S.A. 2023 Supp. 72-7121 and 72-7122 are hereby repealed.

35 Sec. 4. This act shall take effect and be in force from and after its
36 publication in the statute book.