

SENATE BILL No. 114

By Committee on Education

1-30

1 AN ACT concerning education; relating to certain ancillary school district
2 activities; authorizing nonpublic school students and virtual school
3 students to participate in such activities; making it unlawful for a
4 school district or the state high school activities association to
5 discriminate against such students based on enrollment status;
6 amending K.S.A. 2024 Supp. 72-7121 and repealing the existing
7 section.

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

10 Section 1. K.S.A. 2024 Supp. 72-7121 is hereby amended to read as
11 follows: 72-7121. (a) (1) Any student who meets the requirements of this
12 section shall be permitted to participate in any activities offered by a
13 school district that are regulated, supervised, promoted and developed by
14 the activities association referred to in K.S.A. 72-7114, and amendments
15 thereto.

16 (2) *Participation in such activities includes participation in ancillary*
17 *activities, events and programs associated with any activity described in*
18 *paragraph (1). Ancillary activities include, but are not limited to, pep*
19 *rallies, award or honor ceremonies, lettering events, yearbook or other*
20 *promotional functions and other events or programs promoting an activity*
21 *described in paragraph (1) or honoring students who participate in any*
22 *such activity.*

23 (3) A student shall be permitted to participate in any such activities if
24 such student:

25 ~~(1)~~(A) Is a resident of the school district;

26 ~~(2)~~(B) is enrolled and attending a virtual school as defined in K.S.A.
27 72-3712, and amendments thereto, or a nonpublic elementary or secondary
28 school;

29 ~~(3)~~(C) complies with the requirements of K.S.A. 72-6262, and
30 amendments thereto, prior to participation in any such activity;

31 ~~(4)~~(D) meets any applicable age and eligibility requirements set forth
32 by the activities association referred to in K.S.A. 72-7114, and
33 amendments thereto, that are not otherwise in conflict with this section;

34 ~~(5)~~(E) pays any fees required by the school district for participation in
35 such activity if such fees are generally imposed upon all other students
36 who participate in such activity; and

1 ~~(6)~~(F) seeks participation at the appropriate school of the school
2 district that corresponds to where such student resides within the school
3 district's respective school attendance boundaries established by the board
4 of education of the school district.

5 (b) (1) Any student attending a home school who seeks to participate
6 in an activity in the student's resident school district shall be deemed to
7 meet any academic eligibility requirements established by the activities
8 association for participation in an activity if:

9 (A) The student is maintaining satisfactory progress towards
10 achievement or promotion to the next grade level; and

11 (B) the parent, teacher or organization that provides instruction to the
12 student submits an affidavit or transcript to the activities association
13 indicating the student meets the academic eligibility requirements of
14 subparagraph (A).

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

19 (c) Except as provided in subsection (d), a student attending a virtual
20 school as defined in K.S.A. 72-3712, and amendments thereto, who seeks
21 to participate in an activity in the student's resident school district shall not
22 be required to enroll in or attend a minimum number of courses at such
23 school district.

24 (d) The board of education of a school district may require a student
25 who participates in an activity pursuant to this section to enroll in a
26 particular course or complete a particular course as a condition of
27 participation, if such requirement is imposed upon all other students who
28 participate in such activity.

29 (e) Except as provided in subsection (b), any student who seeks to
30 participate in an activity pursuant to this section shall be subject to any
31 tryout or other participation requirements that are otherwise applicable to
32 all other students for participation in the activity.

33 (f) *Any student who meets the requirements of this section and*
34 *participates in activities described in subsection (a) shall be entitled to all*
35 *rights and subject to all responsibilities of any other participating student,*
36 *except as otherwise provided in this section, regardless of such student's*
37 *enrollment status.*

38 (g) *It shall be unlawful for any school district or the activities*
39 *association referred to in K.S.A. 72-7114, and amendments thereto, to*
40 *discriminate against any student who meets the requirements of this*
41 *section based on such student's enrollment status.*

42 Sec. 2. K.S.A. 2024 Supp. 72-7121 is hereby repealed.

43 Sec. 3. This act shall take effect and be in force from and after its

- 1 publication in the statute book.