

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.

8
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)~~(b) A student shall be permitted to participate in any such activities
24 if such student:

25 ~~(1)~~(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; *or*

5 (2) (A) *Is enrolled in and attending the Kansas academy of*
6 *mathematics and science as defined in K.S.A. 72-3903, and amendments*
7 *thereto;*

8 (B) *complies with the requirements of K.S.A. 72-6262, and*
9 *amendments thereto, prior to participation in any such activity;*

10 (C) *meets any applicable age and eligibility requirements set forth*
11 *by the activities association referred to in K.S.A. 72-7114, and*
12 *amendments thereto, that are not otherwise in conflict with this section;*

13 (D) *pays any fees required by the school district for participation in*
14 *such activity if such fees are generally imposed upon all other students*
15 *who participate in such activity; and*

16 (E) *seeks participation at the appropriate school of the school*
17 *district that corresponds to where the postsecondary educational*
18 *institution designated by the state board of regents for the Kansas*
19 *academy of mathematics and science program.*

20 ~~(b)~~(c) (1) Any student attending a home school who seeks to
21 participate in an activity in the student's resident school district shall be
22 deemed to meet any academic eligibility requirements established by the
23 activities association for participation in an activity if:

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

26 (B) the parent, teacher or organization that provides instruction to the
27 student submits an affidavit or transcript to the activities association
28 indicating the student meets the academic eligibility requirements of
29 subparagraph (A).

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

34 ~~(e)~~(d) Except as provided in subsection-~~(d)~~ (e), a student attending a
35 virtual school as defined in K.S.A. 72-3712, and amendments thereto, who
36 seeks to participate in an activity in the student's resident school district
37 shall not be required to enroll in or attend a minimum number of courses at
38 such school district.

39 ~~(d)~~(e) The board of education of a school district may require a
40 student who participates in an activity pursuant to this section to enroll in a
41 particular course or complete a particular course as a condition of
42 participation, if such requirement is imposed upon all other students who
43 participate in such activity.

1 ~~(e)~~**(f)** Except as provided in subsection ~~(b)~~ **(c)**, any student who seeks
2 to participate in an activity pursuant to this section shall be subject to any
3 tryout or other participation requirements that are otherwise applicable to
4 all other students for participation in the activity.

5 ~~(f)~~**(g)** *Any student who meets the requirements of this section and*
6 *participates in activities described in subsection (a) shall be entitled to all*
7 *rights and subject to all responsibilities of any other participating student,*
8 *except as otherwise provided in this section, regardless of such student's*
9 *enrollment status.*

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

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

15 Sec. 3. This act shall take effect and be in force from and after its
16 publication in the statute book.