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Office of Revisor of Statutes

*As Amended by Senate Committee*

*Session of 2025*

**SENATE BILL No. 114**

By Committee on Education

1-30

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

and 72-7122

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

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

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

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

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

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

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

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

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

Strike in line 36

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.

and

(G) participates in an activity that is not offered by the  
 school such student regularly attends;

, as demonstrated by passing not fewer than five subjects in  
 the semester immediately preceding the semester in which  
 such student seeks to participate in such activity

that includes the subjects passed

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.

Sec. 2. K.S.A. 2024 Supp. 72-7122 is hereby amended to read as follows: 72-7122. ~~(a)~~ The activities association referred to in K.S.A. 72-7114, and amendments thereto, shall not prohibit a student primarily enrolled in and attending a nonpublic school who enrolls part time in a public school from participating in any activity available to such student as part of such student's primary enrollment and attendance at a nonpublic school, provided, such student is enrolled in a total of not fewer than five subjects.

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

and 72-7122 are