

SENATE BILL No. 114

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.

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) *Any student participating in an activity pursuant to paragraph (1) shall also be permitted to participate in any district-sponsored events, ceremonies, programs or other functions directly related to such activity.*

(3) *The board of education of a school district may adopt policies regarding the participation of those students who are participating in an activity pursuant to paragraph (1) in district-sponsored events, ceremonies, programs or other functions that are not directly related to such activity.*

(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

~~(6)~~(F) seeks participation at the appropriate school of the school district that corresponds to where such student resides within the school district's respective school attendance boundaries established by the board of education of the school district; *or*

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

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

(C) *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;*

(D) *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*

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

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

(A) The student is maintaining satisfactory progress towards

achievement or promotion to the next grade level; and

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

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

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

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

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

(g) *Any student enrolled in a school operated by a school district who withdraws from such school district and subsequently enrolls in an accredited private school, a nonpublic elementary or secondary school, as defined in K.S.A. 72-4345, and amendments thereto, or a virtual school, as defined in K.S.A. 72-3712, and amendments thereto, shall not be eligible for full participation in any activities offered by such school district immediately following such student's withdrawal in accordance with the academic eligibility policies of the activities association referred to in K.S.A. 72-7114, and amendments thereto, unless such student was eligible for full participation in any such activities pursuant to the eligibility policies of such school district and the activities association referred to in K.S.A. 72-7114, and amendment thereto, on the date of withdrawal and such student participates in such activities at the school from which such student withdrew. Such student may be permitted limited participation in any such activities in accordance with the eligibility policies of such school district and the activities association referred to in K.S.A. 72-7114, and amendments thereto.*

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

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

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

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the
SENATE, and passed that body

SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE
as amended _____

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.