

[First Reprint]

SENATE, No. 125

STATE OF NEW JERSEY
216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris and Somerset)

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District 24 (Morris, Sussex and Warren)

SYNOPSIS

Requires public schools to allow certain students not enrolled in the school to participate in interscholastic athletics.

CURRENT VERSION OF TEXT

As reported by the Senate Education Committee on June 9, 2014, with amendments.



(Sponsorship Updated As Of: 1/28/2014)

1 AN ACT concerning the participation of certain students in
2 Statewide interscholastic sports programs and supplementing
3 chapter 11 of Title 18A of the New Jersey Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. A board of education shall permit a student who receives
9 equivalent instruction elsewhere than at school pursuant to
10 N.J.S.18A:38-25 and who meets the eligibility requirements for
11 student athletes established by the New Jersey State Interscholastic
12 Athletic Association to try out for, and participate in, school-
13 sponsored interscholastic athletics in the student's district of
14 residence in accordance with the same criteria established for
15 students enrolled in the district. Any controversy concerning a
16 student's compliance with the eligibility requirements for student-
17 athletes established by the New Jersey State Interscholastic Athletic
18 Association shall be adjudicated by the association in accordance
19 with its constitution and by-laws.

20 A student who receives such instruction who wishes to compete
21 on an interscholastic sports team or squad in his resident district
22 shall:

23 (1) provide proof that he resides in the district;

24 (2) meet the sports participation requirements established by the
25 school district for students enrolled in the district such as physical
26 examinations, insurance, age, academic, and other requirements.
27 The student shall comply with the same standards of behavior,
28 responsibilities, and performance as all other members of the team
29 or squad; and

30 (3) demonstrate to the board of education that he is receiving an
31 academically equivalent education compared to students enrolled in
32 the school district and that he is academically qualified to
33 participate.

34 b. A student who withdraws from a public school to receive an
35 equivalent instructional program elsewhere than at school and who
36 is ineligible to participate in interscholastic athletics at the time of
37 withdrawal from the public school due to his failure to meet
38 academic, behavioral, or eligibility standards, shall be ineligible to
39 compete in interscholastic athletic competition in accordance with
40 the rules of the New Jersey State Interscholastic Athletic
41 Association.

42 ¹c. The Department of Education shall develop guidelines for
43 school districts in making a determination in regard to the
44 demonstration required pursuant to paragraph (3) of subsection a. of

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SED committee amendments adopted June 9, 2014.

1 this section for only the purposes of eligibility to compete on an
2 interscholastic sports team or squad.¹

3
4 2. a. A board of education shall permit a student who attends
5 a charter school and who meets the eligibility requirements for
6 student athletes established by the New Jersey State Interscholastic
7 Athletic Association to try out for, and participate in, a school-
8 sponsored interscholastic athletics team or squad in the student's
9 district of residence in accordance with the same criteria established
10 for students enrolled in the district if the charter school does not
11 sponsor an interscholastic sports team or squad in the sport in which
12 the student wishes to participate. Any controversy concerning a
13 student's compliance with the eligibility requirements for student-
14 athletes established by the New Jersey State Interscholastic Athletic
15 Association shall be adjudicated by the association in accordance
16 with its constitution and by-laws.

17 A student who attends a charter school who wishes to compete
18 on an interscholastic sports team or squad in his resident district
19 shall:

20 (1) provide proof that he resides in the district; and

21 (2) meet the sports participation requirements established by the
22 school district for students enrolled in the district such as physical
23 examinations, insurance, age, academic, and other requirements. A
24 charter school student shall comply with the same standards of
25 behavior, responsibilities, and performance as all other members of
26 the team or squad.

27 b. A student who withdraws from a school district to enroll in a
28 charter school and who is ineligible to participate in interscholastic
29 athletics at the time of withdrawal from the school district due to
30 his failure to meet academic, behavioral, or eligibility standards,
31 shall be ineligible to compete in interscholastic athletic competition
32 in accordance with the rules of the New Jersey State Interscholastic
33 Athletic Association.

34
35 3. a. A board of education shall permit a student who attends a
36 county vocational school on a full-time or shared-time basis and
37 who meets the eligibility requirements for student athletes
38 established by the New Jersey State Interscholastic Athletic
39 Association to try out for, and participate in, a school-sponsored
40 interscholastic athletics team or squad in the student's district of
41 residence in accordance with the same criteria established for
42 students enrolled in the district if the county vocational school does
43 not sponsor an interscholastic sports team or squad in the sport in
44 which the student wishes to participate. Any controversy
45 concerning a student's compliance with the eligibility requirements
46 for student-athletes established by the New Jersey State

1 Interscholastic Athletic Association shall be adjudicated by the
2 association in accordance with its constitution and by-laws.

3 A student who attends a county vocational school who wishes to
4 compete on an interscholastic sports team or squad in his resident
5 district shall:

6 (1) provide proof that he resides in the district; and

7 (2) meet the sports participation requirements established by the
8 school district for students enrolled in the district such as physical
9 examinations, insurance, age, academic, and other requirements. A
10 county vocational school student shall comply with the same
11 standards of behavior, responsibilities, and performance as all other
12 members of the team or squad.

13 b. A student who withdraws from a school district to enroll in a
14 county vocational school and who is ineligible to participate in
15 interscholastic athletics at the time of withdrawal from the school
16 district due to his failure to meet academic, behavioral, or eligibility
17 standards, shall be ineligible to compete in interscholastic athletic
18 competition in accordance with the rules of the New Jersey State
19 Interscholastic Athletic Association.

20

21 ¹4. a. A board of trustees of a charter school shall permit a
22 student who attends a public school that is not a charter school, and
23 who resides in the charter school's district of residence, and who
24 meets the eligibility requirements for student athletes established by
25 the New Jersey State Interscholastic Athletic Association to try out
26 for, and participate in, a charter school-sponsored interscholastic
27 athletics team or squad in accordance with the same criteria
28 established for a student enrolled in the charter school if the public
29 school that is not a charter school does not sponsor an
30 interscholastic sports team or squad in the sport in which the
31 student wishes to participate. Any controversy concerning a
32 student's compliance with the eligibility requirements for student-
33 athletes established by the New Jersey State Interscholastic Athletic
34 Association shall be adjudicated by the association in accordance
35 with its constitution and by-laws.

36 A student who attends a public school that is not a charter school
37 who wishes to compete on a charter school interscholastic sports
38 team or squad shall:

39 (1) provide proof that he resides in the charter school district of
40 residence; and

41 (2) meet the sports participation requirements established by the
42 charter school for students enrolled in the charter school such as
43 physical examinations, insurance, age, academic, and other
44 requirements. The student shall comply with the same standards of
45 behavior, responsibilities, and performance as all other members of
46 the team or squad.

1 b. A student who withdraws from a charter school to enroll in a
2 public school that is not a charter school and who is ineligible to
3 participate in interscholastic athletics at the time of withdrawal
4 from the charter school due to his failure to meet academic,
5 behavioral, or eligibility standards, shall be ineligible to compete in
6 interscholastic athletic competition in accordance with the rules of
7 the New Jersey State Interscholastic Athletic Association.¹

8
9 ^{15.} a. A board of education of a county vocational school district
10 shall permit a student who attends a public school located in the
11 county and who meets the eligibility requirements for student
12 athletes established by the New Jersey State Interscholastic Athletic
13 Association to try out for, and participate in, a county vocational
14 school-sponsored interscholastic athletics team or squad in
15 accordance with the same criteria established for students enrolled
16 in the county vocational school if the student's public school does
17 not sponsor an interscholastic sports team or squad in the sport in
18 which the student wishes to participate. Any controversy
19 concerning a student's compliance with the eligibility requirements
20 for student-athletes established by the New Jersey State
21 Interscholastic Athletic Association shall be adjudicated by the
22 association in accordance with its constitution and by-laws.

23 A student who attends a public school located in the county who
24 wishes to compete on a county vocational school district
25 interscholastic sports team or squad shall:

26 (1) provide proof that he resides in the county; and

27 (2) meet the sports participation requirements established by the
28 county vocational school district for students enrolled in the district
29 such as physical examinations, insurance, age, academic, and other
30 requirements. The student shall comply with the same standards of
31 behavior, responsibilities, and performance as all other members of
32 the team or squad.

33 b. A student who withdraws from a county vocational school
34 district to enroll in another public school located in the county and
35 who is ineligible to participate in interscholastic athletics at the time
36 of withdrawal from the county vocational school district due to his
37 failure to meet academic, behavioral, or eligibility standards, shall
38 be ineligible to compete in interscholastic athletic competition in
39 accordance with the rules of the New Jersey State Interscholastic
40 Athletic Association.¹

41
42 ^{16.} a. Nothing in this act shall be construed to require a school
43 district, charter school, or county vocational school to provide
44 transportation services or pay transportation costs associated with a
45 student's participation in interscholastic athletics pursuant to the
46 provisions of this act.

1 b. Nothing in this act shall be construed to require a school
2 district or charter school to change the schedules, procedures, or
3 participation requirements of an interscholastic sports team or squad
4 to accommodate a student who wishes to participate in
5 interscholastic athletics pursuant to the provisions of this act.¹
6

7 ¹7. At the end of the second full school year following the
8 effective date of this act, the Department of Education shall review:
9 the interscholastic athletic programs offered in school districts,
10 charter schools, and county vocational schools to determine if those
11 schools had reduced these programs since the enactment of this act;
12 the financial impact of the provisions of this act; and the overall
13 impact on county vocational school districts, including the
14 participation rate in interscholastic athletic programs by students
15 who are not enrolled in the district.¹
16

17 ¹[4.] 8.¹ This act shall take effect immediately.