

[First Reprint]

ASSEMBLY, No. 5254

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED DECEMBER 4, 2017

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District 14 (Mercer and Middlesex)

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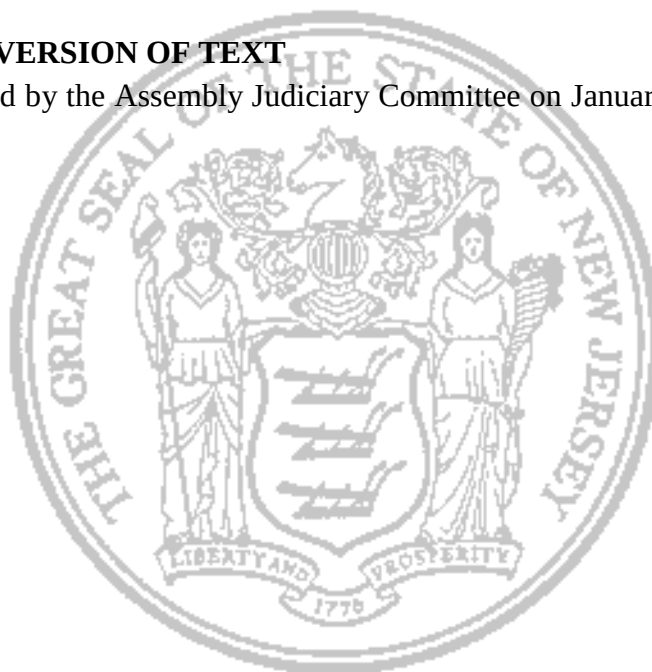
District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Allows public schools to let certain students not enrolled in school participate in high school interscholastic athletics; allows public high schools in same district to enter into cooperative sports programs under certain conditions.

CURRENT VERSION OF TEXT

As reported by the Assembly Judiciary Committee on January 5, 2018, with amendments.



(Sponsorship Updated As Of: 1/9/2018)

1 **AN ACT** concerning ¹**['certain Statewide']**¹ interscholastic sports
2 programs and supplementing chapter 11 of Title 18A of the New
3 Jersey Statutes.

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

7
8 1. The New Jersey State Interscholastic Athletic Association
9 shall allow public high schools in the same school district to enter
10 into a cooperative sports program for any sport at the varsity level,
11 regardless of the member schools' Group classification, if either of
12 the schools demonstrates an inability to field a team at the varsity
13 level due to: a decline in interest or participation in the sport at one
14 of the schools that impacts the ability of that school to safely field a
15 team; or budgetary constraints which force the elimination of
16 certain sports programs at one of the schools.

17
18 ¹2. a. A board of education may permit a student who attends a
19 nonpublic school and who meets the eligibility requirements for
20 student athletes established by the New Jersey State Interscholastic
21 Athletic Association to try out for, and participate in, a school-
22 sponsored high school interscholastic athletics team or squad in the
23 student's district of residence in accordance with the same criteria
24 established for students enrolled in the district if the district is unable
25 to field a team or squad due to a decline in interest or participation in
26 the sport that impacts the ability of the district to safely field a team or
27 squad and the nonpublic school does not sponsor a high school
28 interscholastic sports team or squad in the sport in which the student
29 wishes to participate. Any controversy concerning a student's
30 compliance with the eligibility requirements for student-athletes
31 established by the New Jersey State Interscholastic Athletic
32 Association shall be adjudicated by the association in accordance with
33 its constitution and by-laws.

34 A student who attends a nonpublic school who wishes to compete
35 on an interscholastic sports team or squad in his resident district shall:

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

37 (2) meet the sports participation requirements established by the
38 school district for students enrolled in the district such as physical
39 examinations, insurance, age, academic, and other requirements. A
40 nonpublic school student shall comply with the same standards of
41 behavior, responsibilities, and performance as all other members of the
42 team or squad.

43 b. A student who withdraws from a school district to enroll in a
44 nonpublic school and who is ineligible to participate in interscholastic
45 athletics at the time of withdrawal from the school district due to his

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:

¹Assembly AJU committee amendments adopted January 5, 2018.

1 failure to meet academic, behavioral, or eligibility standards, shall be
2 ineligible to compete in interscholastic athletic competition in
3 accordance with the rules of the New Jersey State Interscholastic
4 Athletic Association.

5 c. A board of education may charge a student who participates in a
6 school-sponsored high school interscholastic athletics team or squad
7 pursuant to this section, other than a student with financial hardship, a
8 fee no greater than the actual cost per pupil of participating in the
9 sport. In determining financial hardship the criteria shall be the same
10 as the Statewide eligibility standards established by the State Board of
11 Education for free and reduced price meals under the State school
12 lunch program.¹

13
14 ¹3. a. A board of education may permit a student who receives
15 equivalent instruction elsewhere than at school pursuant to
16 N.J.S.18A:38-25 and who meets the eligibility requirements for
17 student athletes established by the New Jersey State Interscholastic
18 Athletic Association to try out for, and participate in, a school-
19 sponsored high school interscholastic athletics team or squad in the
20 student's district of residence in accordance with the same criteria
21 established for students enrolled in the district if the district is unable
22 to field a team or squad due to a decline in interest or participation in
23 the sport that impacts the ability of the district to safely field a team or
24 squad. Any controversy concerning a student's compliance with the
25 eligibility requirements for student-athletes established by the New
26 Jersey State Interscholastic Athletic Association shall be adjudicated
27 by the association in accordance with its constitution and by-laws.

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

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

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

37 (3) demonstrate to the board of education that he is receiving an
38 academically equivalent education compared to students enrolled in
39 the school district and that he is academically qualified to participate.

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

47 c. A board of education may charge a student who participates in
48 a school-sponsored high school interscholastic athletics team or squad

1 pursuant to this section, other than a student with financial hardship, a
2 fee no greater than the actual cost per pupil of participating in the
3 sport. In determining financial hardship the criteria shall be the same
4 as the Statewide eligibility standards established by the State Board of
5 Education for free and reduced price meals under the State school
6 lunch program.

7 d. The Department of Education shall develop guidelines for
8 school districts in making a determination in regard to the
9 demonstration required pursuant to paragraph (3) of subsection a. of
10 this section for only the purposes of eligibility to compete on an
11 interscholastic sports team or squad.¹

12
13 ¹4. a. A board of education may permit a student who attends a
14 charter school and who meets the eligibility requirements for student
15 athletes established by the New Jersey State Interscholastic Athletic
16 Association to try out for, and participate in, a school-sponsored high
17 school interscholastic athletics team or squad in the student's district
18 of residence in accordance with the same criteria established for
19 students enrolled in the district if the district is unable to field a team
20 or squad due to a decline in interest or participation in the sport that
21 impacts the ability of the district to safely field a team or squad and the
22 charter school does not sponsor a high school interscholastic sports
23 team or squad in the sport in which the student wishes to participate.
24 Any controversy concerning a student's compliance with the eligibility
25 requirements for student-athletes established by the New Jersey State
26 Interscholastic Athletic Association shall be adjudicated by the
27 association in accordance with its constitution and by-laws.

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

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

31 (2) meet the sports participation requirements established by the
32 school district for students enrolled in the district such as physical
33 examinations, insurance, age, academic, and other requirements. A
34 charter school student shall comply with the same standards of
35 behavior, responsibilities, and performance as all other members of the
36 team or squad.

37 b. A student who withdraws from a school district to enroll in a
38 charter school and who is ineligible to participate in interscholastic
39 athletics at the time of withdrawal from the school district due to his
40 failure to meet academic, behavioral, or eligibility standards, shall be
41 ineligible to compete in interscholastic athletic competition in
42 accordance with the rules of the New Jersey State Interscholastic
43 Athletic Association.

44 c. A board of education may charge a student who participates in a
45 school-sponsored high school interscholastic athletics team or squad
46 pursuant to this section, other than a student with financial hardship, a
47 fee no greater than the actual cost per pupil of participating in the
48 sport. In determining financial hardship the criteria shall be the same

1 as the Statewide eligibility standards established by the State Board of
2 Education for free and reduced price meals under the State school
3 lunch program.¹

4
5 ¹5. a. A board of trustees of a charter school may permit a student
6 who attends a public school that is not a charter school, and who
7 resides in the charter school's district of residence, and who meets the
8 eligibility requirements for student athletes established by the New
9 Jersey State Interscholastic Athletic Association to try out for, and
10 participate in, a charter school-sponsored high school interscholastic
11 athletics team or squad in accordance with the same criteria
12 established for a student enrolled in the charter school if the charter
13 school is unable to field a team or squad due to a decline in interest or
14 participation in the sport that impacts the ability of the charter school
15 to safely field a team or squad and the public school that is not a
16 charter school does not sponsor a high school interscholastic sports
17 team or squad in the sport in which the student wishes to participate.
18 Any controversy concerning a student's compliance with the eligibility
19 requirements for student-athletes established by the New Jersey State
20 Interscholastic Athletic Association shall be adjudicated by the
21 association in accordance with its constitution and by-laws.

22 A student who attends a public school that is not a charter school
23 who wishes to compete on a charter school interscholastic sports team
24 or squad shall:

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

27 (2) meet the sports participation requirements established by the
28 charter school for students enrolled in the charter school such as
29 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 the
32 team or squad.

33 b. A student who withdraws from a charter school to enroll in a
34 public school that is not a charter school and who is ineligible to
35 participate in interscholastic athletics at the time of withdrawal from
36 the charter school due to his failure to meet academic, behavioral, or
37 eligibility standards, shall be ineligible to compete in interscholastic
38 athletic competition in accordance with the rules of the New Jersey
39 State Interscholastic Athletic Association.

40 c. A board of trustees may charge a student who participates in a
41 school-sponsored high school interscholastic athletics team or squad
42 pursuant to this section, other than a student with financial hardship, a
43 fee no greater than the actual cost per pupil of participating in the
44 sport. In determining financial hardship the criteria shall be the same
45 as the Statewide eligibility standards established by the State Board of
46 Education for free and reduced price meals under the State school
47 lunch program.¹

- 1 ¹6. a. Nothing in this act shall be construed to require a school
2 district or charter school to provide transportation services or pay
3 transportation costs associated with a student's participation in
4 interscholastic athletics pursuant to the provisions of sections 2
5 through 5 of this act.
- 6 b. Nothing in this act shall be construed to require a school
7 district or charter school to change the schedules, procedures, or
8 participation requirements of an interscholastic sports team or squad to
9 accommodate a student who wishes to participate in interscholastic
10 athletics pursuant to the provisions of sections 2 through 5 of this act.
- 11 c. Nothing in this act shall be construed to prohibit a school
12 district or charter school from permitting a student to participate in a
13 school district-sponsored or charter school-sponsored high school
14 interscholastic athletics team or squad pursuant to the provisions of
15 this act for a reason other than that the school district or charter school
16 is unable to field a team or squad due to a decline in interest or
17 participation in the sport that impacts the ability to safely field a team
18 or squad.¹
- 19
- 20 ¹**[2.] 7.**¹ This act shall take effect ¹**[immediately]** July 1, 2018¹.