

As Introduced

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H. B. No. 441

Representative McColley

Cosponsors: Representatives Becker, Blessing, Brenner, Buchy, Burkley, Hambley, Henne, Huffman, Koehler, Retherford, Sweeney, Thompson, Zeltwanger

A BILL

To amend section 3313.5311 and to enact section 1
3313.5314 of the Revised Code to permit a 2
student enrolled in a nonpublic school to 3
participate in interscholastic activities at a 4
school district that is not the student's 5
resident district under certain circumstances 6
and to prohibit a student who participates in 7
the College Credit Plus program from being 8
denied the opportunity to participate in 9
interscholastic athletics solely due to 10
participation in the program. 11

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3313.5311 be amended and section 12
3313.5314 of the Revised Code be enacted to read as follows: 13

Sec. 3313.5311. (A) As used in this section and in section 14
3313.5312 of the Revised Code, "extracurricular activity" has 15
the same meaning as in section 3313.537 of the Revised Code. 16

(B) If the nonpublic school in which the student is 17

enrolled does not offer the extracurricular activity, a student 18
enrolled in a chartered or nonchartered nonpublic school shall 19
be afforded, by the superintendent of the school district in 20
which the student is entitled to attend school under section 21
3313.64 or 3313.65 of the Revised Code, the opportunity to 22
participate in that extracurricular activity at the district 23
school to which the student otherwise would be assigned during 24
that school year. If more than one school operated by the school 25
district serves the student's grade level, as determined by the 26
district superintendent based on the student's age and academic 27
performance, the student shall be afforded the opportunity to 28
participate in that extracurricular activity at the school to 29
which the student would be assigned by the superintendent under 30
section 3319.01 of the Revised Code. 31

(C) The superintendent of any school district may afford 32
any student enrolled in a nonpublic school, and who is not 33
entitled to attend school in the district under section 3313.64 34
or 3313.65 of the Revised Code, the opportunity to participate 35
in an extracurricular activity offered by a school of the 36
district, if ~~both of the following apply:~~ 37

~~(1) The the nonpublic school in which the student is 38
enrolled does not offer the extracurricular activity;~~ 39

~~(2) and either of the following apply:~~ 40

(1) The extracurricular activity is not interscholastic 41
athletics or interscholastic contests or competition in music, 42
drama, or forensics; 43

(2) The extracurricular activity is in an interscholastic 44
athletic or interscholastic contest or competition in music, 45
drama, or forensics, and the superintendent of the school 46

district in which the student is entitled to attend school, 47
under section 3313.64 or 3313.65 of the Revised Code, and the 48
superintendent of the school district in which the student is 49
seeking to participate in an extracurricular activity mutually 50
agree, in writing, to allow the student to participate in the 51
extracurricular activity at the school district in which the 52
student is not entitled to attend school. 53

(D) In order to participate in an extracurricular activity 54
under this section, the student shall be of the appropriate age 55
and grade level, as determined by the superintendent of the 56
district, for the school that offers the extracurricular 57
activity, and shall fulfill the same academic, nonacademic, and 58
financial requirements as any other participant. 59

(E) No school district shall impose additional rules on a 60
student to participate under this section that do not apply to 61
other students participating in the same extracurricular 62
activity. No district shall impose additional fees for a student 63
to participate under this section that exceed any fees charged 64
to other students participating in the same extracurricular 65
activity. 66

(F) No school district, interscholastic conference, or 67
organization that regulates interscholastic conferences or 68
events shall require a student who is eligible to participate in 69
interscholastic extracurricular activities under this section to 70
meet eligibility requirements that conflict with this section. 71

Sec. 3313.5314. No student who is enrolled in a public or 72
nonpublic school shall be denied the opportunity to participate 73
in interscholastic athletics offered by that school solely 74
because the student is participating or has participated in the 75
college credit plus program under Chapter 3365. of the Revised 76

Code. 77

Additionally, no student who is enrolled in a community 78
school, STEM school, or nonpublic school or who is receiving 79
home instruction shall be denied the opportunity to participate 80
in interscholastic athletics at the school in which the student 81
is entitled to attend school under section 3313.64 or 3313.65 of 82
the Revised Code solely because of participation in the college 83
credit plus program, so long as the student meets the applicable 84
requirements under section 3313.537, 3313.5311, or 3313.5312 of 85
the Revised Code. 86

As used in this section, "community school" means a 87
community school established under Chapter 3314. of the Revised 88
Code, and "STEM school" means a science, technology, 89
engineering, and mathematics school established under Chapter 90
3326. of the Revised Code. 91

Section 2. That existing section 3313.5311 of the Revised 92
Code is hereby repealed. 93