

ASSEMBLY, No. 3430

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED JUNE 23, 2014

Sponsored by:

Assemblywoman CELESTE M. RILEY
District 3 (Cumberland, Gloucester and Salem)
Assemblyman JAY WEBBER
District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

Assemblyman Space, Assemblywoman McHose and Assemblyman Peterson

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/2/2015)

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 c. 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
45 this section for only the purposes of eligibility to compete on an
46 interscholastic sports team or squad.

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

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

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

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

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

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

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

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

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

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

15

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

31 A student who attends a public school that is not a charter school
32 who wishes to compete on a charter school interscholastic sports
33 team or squad shall:

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

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

42 b. A student who withdraws from a charter school to enroll in a
43 public school that is not a charter school and who is ineligible to
44 participate in interscholastic athletics at the time of withdrawal
45 from the charter school due to his failure to meet academic,
46 behavioral, or eligibility standards, shall be ineligible to compete in
47 interscholastic athletic competition in accordance with the rules of
48 the New Jersey State Interscholastic Athletic Association.

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

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

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

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

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

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34 6. a. Nothing in this act shall be construed to require a school
35 district, charter school, or county vocational school to provide
36 transportation services or pay transportation costs associated with a
37 student's participation in interscholastic athletics pursuant to the
38 provisions of this act.

39 b. Nothing in this act shall be construed to require a school
40 district or charter school to change the schedules, procedures, or
41 participation requirements of an interscholastic sports team or squad
42 to accommodate a student who wishes to participate in
43 interscholastic athletics pursuant to the provisions of this act.

44

45 7. At the end of the second full school year following the
46 effective date of this act, the Department of Education shall review:
47 the interscholastic athletic programs offered in school districts,
48 charter schools, and county vocational schools to determine if those

1 schools had reduced these programs since the enactment of this act;
2 the financial impact of the provisions of this act; and the overall
3 impact on county vocational school districts, including the
4 participation rate in interscholastic athletic programs by students
5 who are not enrolled in the district.

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7 8. This act shall take effect immediately.

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10 STATEMENT

11
12 This bill requires school districts to allow students who receive
13 equivalent instruction other than at school, and students who attend
14 charter schools or county vocational schools, to participate in
15 interscholastic sports programs in the student's resident district in
16 accordance with the same criteria established for students enrolled
17 in the district. The bill also provides that interscholastic sports
18 programs offered by charter schools and county vocational school
19 districts must be available to students attending other public
20 schools.

21 Under the bill, a student who receives equivalent instruction
22 elsewhere than at school who wishes to try out for, and participate
23 in, school-sponsored interscholastic athletics in his resident district
24 must:

25 1) provide proof that he resides in the district;

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

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

35 Under the current rules of the New Jersey State Interscholastic
36 Athletic Association (NJSIAA), the participation of such a student
37 is at the discretion of the board of education of the resident school
38 district.

39 In the case of a student enrolled in a charter school or county
40 vocational school, the student may try out for, and participate in,
41 interscholastic athletics in his resident district if the student's
42 charter school or county vocational school does not sponsor an
43 interscholastic sports team in the sport in which the student wishes
44 to participate. In order to participate, the student must comply with
45 the requirements listed above, other than the requirement to
46 demonstrate academically equivalent instruction. Under current
47 NJSIAA rules, a student enrolled in a charter school or full-time in
48 a county vocational school may only participate in interscholastic

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1 athletics in the resident district if the principal of the charter school
2 or county vocational school, as applicable, and the principal of the
3 resident district school agree to such participation. There are
4 reciprocal provisions in the bill for students enrolled in public
5 schools that may want to participate in interscholastic athletics
6 sponsored by charter schools or county vocational school districts.

7 Under the bill, any controversy in regard to whether a home-
8 schooled student, a charter school student, a county vocational
9 school student, or other public school student meets the eligibility
10 requirements for student athletes established by the NJSIAA will be
11 adjudicated by the association in compliance with its constitution
12 and by-laws.