

[First Reprint]

**SENATE, No. 3447**

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**STATE OF NEW JERSEY**  
**217th LEGISLATURE**

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INTRODUCED NOVEMBER 9, 2017

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

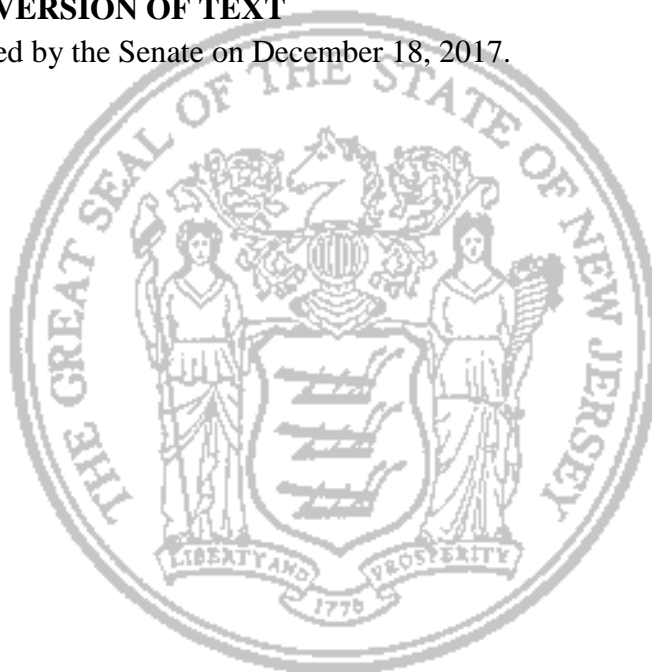
**Senator Allen**

**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

As amended by the Senate on December 18, 2017.



**(Sponsorship Updated As Of: 12/19/2017)**

1 AN ACT concerning <sup>1</sup>**["certain Statewide"]**<sup>1</sup> 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 <sup>1</sup>2. a. A board of education, other than a board of education of a  
19 county vocational school district, shall permit a student who attends  
20 a nonpublic school and who meets the eligibility requirements for  
21 student athletes established by the New Jersey State Interscholastic  
22 Athletic Association to try out for, and participate in, a school-  
23 sponsored interscholastic athletics team or squad in the student's  
24 district of residence in accordance with the same criteria established  
25 for students enrolled in the district if the nonpublic school does not  
26 sponsor an interscholastic sports team or squad in the sport in which  
27 the student wishes to participate. Any controversy concerning a  
28 student's compliance with the eligibility requirements for student-  
29 athletes established by the New Jersey State Interscholastic Athletic  
30 Association shall be adjudicated by the association in accordance  
31 with its constitution and by-laws.

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

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

36 (2) meet the sports participation requirements established by the  
37 school district for students enrolled in the district such as physical  
38 examinations, insurance, age, academic, and other requirements. A  
39 nonpublic school 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 school district to enroll in a  
43 nonpublic school and who is ineligible to participate in  
44 interscholastic athletics at the time of withdrawal from the school  
45 district due to his failure to meet academic, behavioral, or eligibility

**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:

<sup>1</sup>Senate floor amendments adopted December 18, 2017.

standards, shall be ineligible to compete in interscholastic athletic competition in accordance with the rules of the New Jersey State Interscholastic Athletic Association.<sup>1</sup>

<sup>1</sup>3. a. A board of education, other than a board of education of a county vocational school district, shall permit a student who receives equivalent instruction elsewhere than at school pursuant to N.J.S.18A:38-25 and who meets the eligibility requirements for student athletes established by the New Jersey State Interscholastic Athletic Association to try out for, and participate in, school-sponsored interscholastic athletics in the student's district of residence in accordance with the same criteria established for students enrolled in the district. Any controversy concerning a student's compliance with the eligibility requirements for student-athletes established by the New Jersey State Interscholastic Athletic Association shall be adjudicated by the association in accordance with its constitution and by-laws.

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

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

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

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

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

c. The Department of Education shall develop guidelines for school districts in making a determination in regard to the demonstration required pursuant to paragraph (3) of subsection a. of this section for only the purposes of eligibility to compete on an interscholastic sports team or squad.<sup>1</sup>

<sup>1</sup>4. a. A board of education, other than a board of education of a county vocational school district, shall permit a student who attends a charter school and who meets the eligibility requirements

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

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

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

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

22 b. A student who withdraws from a school district to enroll in a  
23 charter school and who is ineligible to participate in interscholastic  
24 athletics at the time of withdrawal from the school district due to  
25 his failure to meet academic, behavioral, or eligibility standards,  
26 shall be ineligible to compete in interscholastic athletic competition  
27 in accordance with the rules of the New Jersey State Interscholastic  
28 Athletic Association.<sup>1</sup>

29  
30 <sup>15.</sup> a. A board of trustees of a charter school shall permit a  
31 student who attends a public school that is not a charter school or a  
32 school of a county vocational school district, and who resides in the  
33 charter school's district of residence, and who meets the eligibility  
34 requirements for student athletes established by the New Jersey  
35 State Interscholastic Athletic Association to try out for, and  
36 participate in, a charter school-sponsored interscholastic athletics  
37 team or squad in accordance with the same criteria established for a  
38 student enrolled in the charter school if the public school that is not  
39 a charter school or a school of a county vocational school district  
40 does not sponsor an interscholastic sports team or squad in the sport  
41 in 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 public school that is not a charter school  
47 or a school of a county vocational school district who wishes to

1 compete on a charter school interscholastic sports team or squad  
2 shall:

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

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

11 b. A student who withdraws from a charter school to enroll in a  
12 public school that is not a charter school or a school of a county  
13 vocational school district and who is ineligible to participate in  
14 interscholastic athletics at the time of withdrawal from the charter  
15 school due to his failure to meet academic, behavioral, or eligibility  
16 standards, shall be ineligible to compete in interscholastic athletic  
17 competition in accordance with the rules of the New Jersey State  
18 Interscholastic Athletic Association.<sup>1</sup>

19  
20 <sup>1</sup>6. a. Nothing in this act shall be construed to require a school  
21 district or charter school to provide transportation services or pay  
22 transportation costs associated with a student's participation in  
23 interscholastic athletics pursuant to the provisions of sections 2  
24 through 5 of this act.

25 b. Nothing in this act shall be construed to require a school  
26 district or charter school to change the schedules, procedures, or  
27 participation requirements of an interscholastic sports team or squad  
28 to accommodate a student who wishes to participate in  
29 interscholastic athletics pursuant to the provisions of sections 2  
30 through 5 of this act.<sup>1</sup>

31  
32 <sup>1</sup>[2.] 7.<sup>1</sup> This act shall take effect immediately.