

SENATE, No. 1081

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED JANUARY 22, 2018

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senator Pennacchio

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 introduced.



(Sponsorship Updated As Of: 2/2/2018)

1 AN ACT concerning interscholastic sports programs and
2 supplementing chapter 11 of Title 18A of the New Jersey
3 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 2. 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
46 failure to meet academic, behavioral, or eligibility standards, shall be
47 ineligible to compete in interscholastic athletic competition in

1 accordance with the rules of the New Jersey State Interscholastic
2 Athletic Association.

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

11
12 3. a. A board of education may permit a student who receives
13 equivalent instruction elsewhere than at school pursuant to
14 N.J.S.18A:38-25 and who meets the eligibility requirements for
15 student athletes established by the New Jersey State Interscholastic
16 Athletic Association to try out for, and participate in, a school-
17 sponsored high school interscholastic athletics team or squad in the
18 student's district of residence in accordance with the same criteria
19 established for students enrolled in the district if the district is unable
20 to field a team or squad due to a decline in interest or participation in
21 the sport that impacts the ability of the district to safely field a team or
22 squad. Any controversy concerning a student's compliance with the
23 eligibility requirements for student-athletes established by the New
24 Jersey State Interscholastic Athletic Association shall be adjudicated
25 by the association in accordance with its constitution and by-laws.

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

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

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

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

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

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

1 sport. In determining financial hardship the criteria shall be the same
2 as the Statewide eligibility standards established by the State Board of
3 Education for free and reduced price meals under the State school
4 lunch program.

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

10

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

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

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

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

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

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

1 Education for free and reduced price meals under the State school
2 lunch program.

3
4 5. a. A board of trustees of a charter school may permit a student
5 who attends a public school that is not a charter school, and who
6 resides in the charter school's district of residence, and who meets the
7 eligibility requirements for student athletes established by the New
8 Jersey State Interscholastic Athletic Association to try out for, and
9 participate in, a charter school-sponsored high school interscholastic
10 athletics team or squad in accordance with the same criteria
11 established for a student enrolled in the charter school if the charter
12 school is unable to field a team or squad due to a decline in interest or
13 participation in the sport that impacts the ability of the charter school
14 to safely field a team or squad and the public school that is not a
15 charter school does not sponsor a high school interscholastic sports
16 team or squad in the sport in which the student wishes to participate.
17 Any controversy concerning a student's compliance with the eligibility
18 requirements for student-athletes established by the New Jersey State
19 Interscholastic Athletic Association shall be adjudicated by the
20 association in accordance with its constitution and by-laws.

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

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

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

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

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

6. a. Nothing in this act shall be construed to require a school district or charter school to provide transportation services or pay transportation costs associated with a student's participation in interscholastic athletics pursuant to the provisions of sections 2 through 5 of this act.

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

c. Nothing in this act shall be construed to prohibit a school district or charter school from permitting a student to participate in a school district-sponsored or charter school-sponsored high school interscholastic athletics team or squad pursuant to the provisions of this act for a reason other than that the school district or charter school is unable to field a team or squad due to a decline in interest or participation in the sport that impacts the ability to safely field a team or squad.

7. This act shall take effect on the 60th day after the date of enactment.

STATEMENT

This bill requires the New Jersey State Interscholastic Athletic Association (NJSIAA) to allow public high schools in the same school district to enter into a cooperative sports program for any sport at the varsity level if either of the schools demonstrates an inability to field a team at the varsity level due to: a decline in interest or participation in the sport at one of the schools that impacts the ability of that school to safely field a team; or budgetary constraints which force the elimination of certain sports programs at one of the schools.

Under the current rules of the NJSIAA, schools are prohibited from entering into cooperative sports programs for basketball, baseball, softball and spring track, and in football if one of the schools is classified as a Group III school. This bill requires the NJSIAA to allow the schools to enter into cooperative sports programs regardless of the sport or the member schools' Group classification.

The bill also permits school districts to allow students who attend nonpublic schools to try out for, and participate in, a high school interscholastic athletics team or squad in the student's district of residence if the district is unable to field a team due to a decline in interest or participation in the sport that impacts the ability of the district to safely field a team or squad, and if the nonpublic school does not sponsor a high school interscholastic sports team or squad in the sport in which the student wishes to participate. Comparable

1 provisions are included in the bill that will permit school districts to
2 also allow homeschooled students and charter school students to try
3 out for, and participate in, a high school interscholastic athletics team
4 or squad in the district. Public school students who may wish to
5 participate in a school-sponsored high school interscholastic athletics
6 team or squad at a charter school would also be permitted to do so,
7 under similar criteria. School districts and charter schools are
8 permitted to charge students who participate in a school-sponsored
9 high school interscholastic athletics team or squad pursuant to this bill,
10 other than students with a financial hardship, a fee no greater than the
11 actual cost per pupil of participating in the sport.

12 The bill will take effect on the 60th day after enactment.