

# **KANSAS LEGISLATURE**

## **CHANGES AFFECTING KSHSAA RULES - 2025 Session**

During the 2024 legislative session, language to state statute was updated to authorize nonpublic and virtual school students to participate in ancillary public school activities and making it unlawful for the Kansas State high School Activities Association and school districts to discriminate against such students based on enrollment status. The updated language from ***Senate Bill 114*** (*new information is underlined*) is written below:

### **K.S.A. 72-7121**

- (a) (1) Any student who meets the requirements of this section shall be permitted to participate in any activities offered by a school district that are regulated, supervised, promoted and developed by the activities association referred to in K.S.A. 72-7114, and amendments thereto.
- (2) Any student participating in an activity pursuant to paragraph (1) shall also be permitted to participate in any district-sponsored events, ceremonies, programs or other functions directly related to such activity.
- (3) The board of education of a school district may adopt policies regarding the participation of those students who are participating in an activity pursuant to paragraph (1) in district-sponsored events, ceremonies, programs or other functions that are not directly related to such activity.
- (b) A student shall be permitted to participate in any such activities if such student:
- (1) (A) Is a resident of the school district;
  - ~~(2) (B) is enrolled and attending a virtual school as defined in K.S.A. 72-3712, and amendments thereto, or a nonpublic elementary or secondary school;~~
  - ~~(3) (C) complies with the requirements of K.S.A. 72-6262, and amendments thereto, prior to participation in any such activity;~~
  - ~~(4) (D) meets any applicable age and eligibility requirements set forth by the activities association referred to in K.S.A. 72-7114, and amendments thereto, that are not otherwise in conflict with this section;~~
  - ~~(5) (E) pays any fees required by the school district for participation in such activity if such fees are generally imposed upon all other students who participate in such activity; and~~
  - ~~(6) (F) seeks participation at the appropriate school of the school district that corresponds to where such student resides within the school district's respective school attendance boundaries established by the board of education of the school district.~~
- (2) (A) Is enrolled in and attending the Kansas academy of mathematics and science as defined in K.S.A. 72-3903, and amendments thereto;
- (B) complies with the requirements of K.S.A. 72-6262, and amendments thereto, prior to participation in any such activity;
- (C) meets any applicable age and eligibility requirements set forth by the activities association referred to in K.S.A. 72-7114, and amendments thereto, that are not otherwise in conflict with this section;
- (D) pays any fees required by the school district for participation in such activity if such fees are generally imposed upon all other students who participate in such activity; and
- (E) seeks participation at the appropriate school of the school district that corresponds to where the postsecondary educational institution designated by the state board of regents for the Kansas academy of mathematics and science program.
- ~~(b)(c)~~ (1) Any student attending a home school who seeks to participate in an activity in the student's resident school district shall be deemed to meet any academic eligibility requirements established by the activities association for participation in an activity if:
- (A) The student is maintaining satisfactory progress towards achievement or promotion to the next grade level; and
  - (B) the parent, teacher or organization that provides instruction to the student submits an affidavit or transcript to the activities association indicating the student meets the academic eligibility requirements of subparagraph (A).
- (2) Upon submission of an affidavit, the student attending a home school shall be deemed to meet any academic eligibility requirements established by the activities association and shall retain such academic eligibility during the activity season for which such affidavit is submitted.
- ~~(c)(d)~~ Except as provided in subsection (d), a student attending a virtual school as defined in K.S.A. 72-3712, and amendments thereto, who seeks to participate in an activity in the student's resident school district shall not be required to enroll in or attend a minimum number of courses at such school district.

- ~~(d)~~ (e) The board of education of a school district may require a student who participates in an activity pursuant to this section to enroll in a particular course or complete a particular course as a condition of participation, if such requirement is imposed upon all other students who participate in such activity.
- ~~(e)~~ (f) Except as provided in subsection (b), any student who seeks to participate in an activity pursuant to this section shall be subject to any tryout or other participation requirements that are otherwise applicable to all other students for participation in the activity.
- (g) Any student enrolled in a school operated by a school district who withdraws from such school district and subsequently enrolls in an accredited private school, a nonpublic elementary or secondary school, as defined in K.S.A. 72-4345, and amendments thereto, or a virtual school, as defined in K.S.A. 72-3712, and amendments thereto, shall not be eligible for full participation in any activities offered by such school district immediately following such student's withdrawal in accordance with the academic eligibility policies of the activities association referred to in K.S.A. 72-7114, and amendments thereto, unless such student was eligible for full participation in any such activities pursuant to the eligibility policies of such school district and the activities association referred to in K.S.A. 72-7114, and amendment thereto, on the date of withdrawal and such student participates in such activities at the school from which such student withdrew. Such student may be permitted limited participation in any such activities in accordance with the eligibility policies of such school district and the activities association referred to in K.S.A. 72-7114, and amendments thereto.
- (h) Any student who meets the requirements of this section and participates in activities described in subsection (a) shall be entitled to all rights and subject to all responsibilities of any other participating student, except as otherwise provided in this section, regardless of such student's enrollment status.
- (i) It shall be unlawful for any school district or the activities association referred to in K.S.A. 72-7114, and amendments thereto, to discriminate against any student who meets the requirements of this section based on such student's enrollment status.

# **KANSAS LEGISLATURE**

## **CHANGES AFFECTING KSHSAA RULES - 2024 Session**

During the 2024 legislative session, language to state statute was updated to allow virtual school students (specifically public virtual school enrolled students) to participate in KSHSAA sponsored activities without enrollment in the local public school. The updated language from ***House Substitute for Senate Bill 387*** is written below:

### **K.S.A. 72-7121**

- (a) Any student who meets the requirements of this section shall be permitted to participate in any activities offered by a school district that are regulated, supervised, promoted and developed by the activities association referred to in K.S.A. 72-7114, and amendments thereto. A student shall be permitted to participate in any such activities if such student:
- a. Is a resident of the school district;
  - b. is enrolled and attending a virtual school as defined in K.S.A. 72-3712, and amendments thereto, or a nonpublic elementary or secondary school;
  - c. complies with the requirements of K.S.A. 72-6262, and amendments thereto, prior to participation in any such activity;
  - d. meets any applicable age and eligibility requirements set forth by the activities association referred to in K.S.A. 72-7114, and amendments thereto, that are not otherwise in conflict with this section;
  - e. pays any fees required by the school district for participation in such activity if such fees are generally imposed upon all other students who participate in such activity; and
  - f. seeks participation at the appropriate school of the school district that corresponds to where such student resides within the school district's respective school attendance boundaries established by the board of education of the school district.
- (b) (1) Any student attending a home school who seeks to participate in an activity in the student's resident school district shall be deemed to meet any academic eligibility requirements established by the activities association for participation in an activity if:
- (A) The student is maintaining satisfactory progress towards achievement or promotion to the next grade level; and
  - (B) the parent, teacher or organization that provides instruction to the student submits an affidavit or transcript to the activities association indicating the student meets the academic eligibility requirements of subparagraph (A).
- (2) Upon submission of an affidavit, the student attending a home school shall be deemed to meet any academic eligibility requirements established by the activities association and shall retain such academic eligibility during the activity season for which such affidavit is submitted.
- (c) Except as provided in subsection (d), a student attending a virtual school as defined in K.S.A. 72-3712, and amendments thereto, who seeks to participate in an activity in the student's resident school district shall not be required to enroll in or attend a minimum number of courses at such school district.
- (d) The board of education of a school district may require a student who participates in an activity pursuant to this section to enroll in a particular course or complete a particular course as a condition of participation, if such requirement is imposed upon all other students who participate in such activity.
- ~~(d)~~ (e) Except as provided in subsection (b), any student who seeks to participate in an activity pursuant to this section shall be subject to any tryout or other participation requirements that are otherwise applicable to all other students for participation in the activity.
- ~~(e) This section shall take effect on and after July 1, 2023.~~

# **KANSAS LEGISLATURE**

## **CHANGES AFFECTING KSHSAA RULES - 2023 Session**

During the 2023 legislative session, a new law was created to allow non-public students (specifically home schooled) to participate in KSHSAA sponsored activities without enrollment in the local public school. The new language for **House Substitute for Senate Bill 113** is written below:

### **New Sec. 5.**

- (a) Any student who meets the requirements of this section shall be permitted to participate in any activities offered by a school district that are regulated, supervised, promoted and developed by the activities association referred to in K.S.A. 72-7114, and amendments thereto. A student shall be permitted to participate in any such activities if such student:
  - (1) Is a resident of the school district;
  - (2) is enrolled and attending a nonpublic elementary or secondary school;
  - (3) complies with the requirements of K.S.A. 72-6262, and amendments thereto, prior to participation in any such activity;
  - (4) meets any applicable age and eligibility requirements set forth by the activities association referred to in K.S.A. 72-7114, and amendments thereto, that are not otherwise in conflict with this section;
  - (5) pays any fees required by the school district for participation in such activity if such fees are generally imposed upon all other students who participate in such activity; and
  - (6) seeks participation at the appropriate school of the school district that corresponds to where such student resides within the school district's respective school attendance boundaries established by the board of education of the school district.
- (b) (1) Any student attending a home school who seeks to participate in an activity in the student's resident school district shall be deemed to meet any academic eligibility requirements established by the activities association for participation in an activity if:
  - (A) The student is maintaining satisfactory progress towards achievement or promotion to the next grade level; and
  - (B) the parent, teacher or organization that provides instruction to the student submits an affidavit or transcript to the activities association indicating the student meets the academic eligibility requirements of subparagraph (A).
- (c) Upon submission of an affidavit, the student attending a home school shall be deemed to meet any academic eligibility requirements established by the activities association and shall retain such academic eligibility during the activity season for which such affidavit is submitted.
- (d) The board of education of a school district may require a student who participates in an activity pursuant to this section to enroll in a particular course or complete a particular course as a condition of participation, if such requirement is imposed upon all other students who participate in such activity.
- (e) Except as provided in subsection (b), any student who seeks to participate in an activity pursuant to this section shall be subject to any tryout or other participation requirements that are otherwise applicable to all other students for participation in the activity.
- (f) This section shall take effect on and after July 1, 2023.

### **New Sec. 6.**

- (a) The activities association referred to in K.S.A. 72-7114, and amendments thereto, shall not prohibit a student primarily enrolled in and attending a nonpublic school who enrolls part time in a public school from participating in any activity available to such student as part of such student's primary enrollment and attendance at a nonpublic school.