House Bill 4036

Sponsored by Representative MCLANE; Representatives DOHERTY, ESQUIVEL, LEWIS, NEARMAN, NOBLE, OLSON, SPRENGER, STARK, VIAL, WHISNANT, WILSON (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires school districts to allow homeschooled students and students who attend public charter schools to participate in interscholastic activities, regardless of whether activities are governed by voluntary association that administers interscholastic activities.

Clarifies requirements for charging fee for public charter school students participating in interscholastic activities.

Takes effect July 1, 2018.

A BILL FOR AN ACT

Relating to participation in interscholastic activities; amending ORS 339.460; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 339.460 is amended to read:

339.460. (1) As used in this section:

(a) "Homeschooled student" means a child who is taught by a private teacher, a parent or a legal guardian, as described in ORS 339.030.

(b) "Interscholastic activities" means athletics, music, speech and other similar or related activities, regardless of whether the interscholastic activities are governed by a voluntary association that administers interscholastic activities.

(c) "Public charter school" has the meaning given that term in ORS 338.005.

(2) A school district may not deny a homeschooled student, or a student who attends a public charter school that does not provide interscholastic activities, the opportunity to participate in all interscholastic activities available in the school district within the attendance boundaries in which the homeschooled student or public charter school student resides if the student fulfills the following conditions:

(a)(A) For a homeschooled student, the student must meet all school district eligibility requirements except:

(i) The school district's school or class attendance requirements; and

(ii) The class requirements of the voluntary association that administers the interscholastic [activities] activity, if applicable.

(B) For a student who attends a public charter school, the student must meet all school district eligibility requirements except the school district's school or class attendance requirements.

(b) The student must meet one of these requirements:

(A) Achieve a minimum score that places the student at or above the 23rd percentile, based on national norms, on an examination from the list the State Board of Education adopts under ORS 339.035. The student must take the examination at the end of each school year, and the student's
parent or legal guardian must submit the results to the school district for use in determining eligi-

(B) Meet alternative requirements that a school district adopts, in consultation with the
student’s parent or legal guardian, to participate in interscholastic activities, including but not
limited to a requirement that a student submit a portfolio of work samples to a school district
committee for review to determine whether the student is eligible to participate in interscholastic
activities.

(3)(a) In addition to the requirements set forth in subsection (2) of this section, a public charter
school that enrolls a student who intends to participate in an interscholastic activity must pay to
the school district or school that offers the interscholastic activity, as appropriate:

[(a)(B) An annual fee that is equivalent to not more than five percent of the amount of
the school district’s General Purpose Grant per ADMw, as calculated under ORS 327.013; and
[(b)(B) An additional annual fee that is equivalent to not more than five percent of the amount
of the school district’s General Purpose Grant per ADMw, as calculated under ORS 327.013, if par-
ticipating in the interscholastic activity requires the student to enroll in a course for credit. [The
school district and the public charter school shall enter into an agreement to specify the fee required
under this paragraph, but the agreement may not require for each interscholastic activity in which the
student participates a fee that is equivalent to more than five percent more than the fee required under
paragraph (a) of this subsection.]

(b) The school district and the public charter school shall enter into an agreement to
specify the amount of the fees described in paragraph (a) of this subsection.

(4) A homeschooled student or a student who attends a public charter school may participate
in interscholastic activities while awaiting examination results.

(5) A homeschooled student, or a student who attends a public charter school, who does not
maintain academic eligibility is ineligible to participate in interscholastic activities for the duration
of the school year in which the student becomes academically ineligible and for the following year.
The student must take the required examinations at the end of the second year and meet the stan-
dards described in subsection (2)(b) of this section to become eligible for the third year.

(6) A homeschooled student or a student who attends a public charter school must fulfill the
same responsibilities and standards of behavior and performance, including related class or practice
requirements, as other students who participate in the interscholastic activity of the team or squad
and must meet the same standards for acceptance on the team or squad. The student must also
comply with all public school requirements during the time of participation.

(7) A homeschooled student, or a student who attends a public charter school, who participates
in interscholastic activities must reside within the attendance boundaries of the school at which the
student participates.

SECTION 2. This 2018 Act takes effect on July 1, 2018.