**A** **BILL**

TO AMEND SECTION 59‑63‑100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PARTICIPATION IN PUBLIC SCHOOL INTERSCHOLASTIC ACTIVITIES, SO AS TO PROVIDE PUBLIC SCHOOL STUDENTS, CHARTER SCHOOL STUDENTS, GOVERNOR’S SCHOOL STUDENTS, AND HOME SCHOOL STUDENTS MAY PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES OFFERED AT PUBLIC SCHOOLS THEY DO NOT ATTEND IN CERTAIN LIMITED CIRCUMSTANCES, AND TO PROVIDE SCHOOL DISTRICTS MAY NOT CONTRACT FOR THE SUPERVISION OF INTERSCHOLASTIC ACTIVITIES WITH PRIVATE ENTITIES THAT PROHIBIT SUCH PARTICIPATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59‑63‑100 of the 1976 Code is amended to read:

“Section 59‑63‑100. (A) As used in this section:

(1) ‘Charter school student’ is a child enrolled in a charter school established pursuant to Chapter 40, Title 59.

(2) ‘Governor’s school student’ is a child enrolled at a Governor’s school established pursuant to this title.

(3) ‘Home school student’ is a child taught in accordance with Section 59‑65‑40, 59‑65‑45, or 59‑65‑47 and has been taught in accordance with one of these sections for a full academic year prior to participating in an interscholastic activity pursuant to this section.

(4) ‘Interscholastic activities’ includes, but is not limited to, athletics, music, speech, and other extracurricular activities.

(5) ‘Traditional public school student’ means a student who attends a public middle school or public high school in this State, excluding charter schools.

(B) A traditional public school student, a charter school student, an individual Governor’s school ~~students~~ student, and a home school ~~students may not be denied by a school district the opportunity to participate in interscholastic activities~~ student who wishes to participate in an extracurricular activity that is not offered at the school he attends may participate in the activity at a school offering the activity in closest proximity to his residence, even if the school is located in a different attendance zone or district, if the:

(1) student meets all school district eligibility requirements with the exception of the:

(a) school district’s school or class attendance requirements; ~~and~~

(b) class and enrollment requirements of the associations administering the interscholastic activities; and

(c) district or attendance zone residency requirements;

(2) student’s teacher, in the case of a Governor’s school student, certifies by submitting an affidavit to the school district that the student fully complies with the law and any attendance, class, or enrollment requirements for a Governor’s school. In addition, a charter school student’s teacher, in the same manner required by this subsection for a Governor’s school student, also must certify by affidavit to the student’s school district that the student fully complies with the law and any attendance, class, or enrollment requirements for a charter school in order for the student to participate in interscholastic activities in the manner permitted by Chapter 40 of this title; and

(3) ~~student participating in interscholastic activities:~~

~~(a)~~ ~~resides within the attendance boundaries of the school for which the student participates; or~~

~~(b)~~ ~~in the case of a Governor’s school student, resides or attends a Governor’s school within the attendance boundaries of the school for which the student participates; and~~

~~(4)~~ student notifies the superintendent of the school district in writing of his intent to participate in the interscholastic activity as a representative of the school before the beginning date of the season for the activity in which he wishes to participate.

(C) A traditional public school student who has been unable to maintain academic eligibility is ineligible to participate in interscholastic activities as a charter school student, Governor’s school student, or home school student for the following semester. To establish eligibility for subsequent school years, ~~the~~ ~~student’s~~ his teacher shall certify by submitting an affidavit to the school district that the student meets the relevant policies of the school at which the student wishes to participate.

(D) A ~~Governor’s school student or home school student is required to~~ student who participates in an extracurricular activity under the provisions of this section shall fulfill the same responsibilities and standards of behavior and performance, including related practice requirements, of other students participating in the interscholastic activities of the team or squad and is required to meet the same standards for acceptance on the team or squad.

(E) A Governor’s school may not be denied by a school district the opportunity to have a team representing the school participate in interscholastic activities if the team meets the same eligibility requirements of other teams. An individual Governor’s school student may not participate in an interscholastic activity of a public school district if the school that the student is enrolled in has a team or squad participating in that interscholastic activity.

(F) A school district may not contract with a private entity that supervises interscholastic activities if the private entity prohibits the participation of traditional public school students, charter school students, Governor’s school students, or home school students in interscholastic activities under the provisions of this section or otherwise.”

SECTION 2. This act takes effect upon approval by the Governor.

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