**A** **BILL**

TO AMEND SECTION 59‑63‑100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, SO AS TO PROVIDE LIMITED SITUATIONS IN WHICH SEVENTH GRADE AND EIGHTH GRADE STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS.

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 by adding an appropriately lettered subsection at the end to read:

“( )(1) Notwithstanding the provisions of this section, individual seventh grade students and eighth grade students who attend private schools in this State may not be denied by a public school district the opportunity to participate in a high school league sport offered at a public high school in the district if:

(a ) the student resides within the attendance boundaries of the high school;

(b) the private school attended by the student does not offer any high school grade levels;

(c) the particular high school league sport in which the student seeks to participate is not offered to seventh and eight grade students at the private school the student attends but is:

(i) offered at the local public high school located in the attendance zone where the student resides; and

(ii) open to participation by seventh and eight grade public school students who reside in the attendance zone of the high school;

(d) the student notifies the superintendent of the school district in writing of his intent to participate in the high school league sport as a representative of the school before the beginning date of the season for the high school league sport in which he wishes to participate; and

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

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

(ii) class and enrollment requirements of the private entity that supervises the high school league sport.

(2) A school district may not contract with a private entity that supervises high school league sports if the private entity prohibits the participation of private school students in high school league sports supervised by the entity.

(3) For purposes of this subsection, ‘private school’ means a school:

(a) established by an entity other than the State or a subdivision of the State;

(b) supported primarily by private or nonpublic funds; and

(c) operated by private individuals operating in their private capacity and not by people who are publicly elected or appointed to operate the school.”

SECTION 2. This act takes effect July 1, 2022.

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