**A** **BILL**

TO AMEND SECTION 59‑63‑100 OF THE 1976 CODE, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, TO PROVIDE LIMITED SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND TO DEFINE NECESSARY TERMS.

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

SECTION 1. A. Section 59‑63‑100 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end to read:

“( )(1) Notwithstanding the provisions of this section, individual high school 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 the:

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

(b) private school attended by the student does not offer the particular high school league sport for the student’s gender;

(c) particular high school league sport in which the student seeks to participate is offered at the local public high school located in the attendance zone where the student resides;

(d) student notifies the superintendent of the public 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) student meets all public 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.”

B. Section 59‑63‑100(A) of the 1976 Code is amended by adding an appropriately numbered new item to read:

“( ) ‘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 upon approval by the Governor.

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