

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 37**  
96TH GENERAL ASSEMBLY

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Reported from the Committee on General Laws, March 10, 2011, with recommendation that the Senate Committee Substitute do pass.

0162S.03C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To amend chapter 160, RSMo, by adding thereto two new sections relating to interscholastic activities.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 160, RSMo, is amended by adding thereto two new sections, to be known as sections 160.1175 and 160.1177, to read as follows:

**160.1175. 1. This section shall be known and may be cited as the "Students First Interscholastic Activities Act".**

**2. It is the intent of the general assembly that every student of high school age has the opportunity to participate in interscholastic activities, including, but not limited to:**

**(1) Students who attend public school;**

**(2) Students who attend private school;**

**(3) Students who pursue their education through the virtual public school established in section 161.670; and**

**(4) Students who complete their education through a program of home schooling.**

**3. It is the intent of the general assembly that all students of high school age have equal access to interscholastic activities, regardless of background and education program.**

**4. Any student of high school age in Missouri described in subsection 2 of this section shall have the opportunity to seek to participate in interscholastic activities through the school that he or she attends. If the student's school of attendance does not offer interscholastic activities, the student shall have the opportunity to participate in interscholastic activities through his or her public school**

21 district of residence.

22           5. Each school that offers interscholastic activities shall identify  
23 and make public, by July first of each year, the individual activity  
24 programs that it shall provide to students. When providing such  
25 information, each school shall identify an approximate number of  
26 students that may participate in each activity at such time.

27           6. To be eligible to participate in interscholastic activities, a  
28 student shall:

29           (1) Be not less than fourteen years of age but not older than  
30 nineteen years of age;

31           (2) Be a resident of the state of Missouri;

32           (3) Be a United States citizen, United States national, permanent  
33 resident of the United States, or otherwise have lawful presence in the  
34 United States;

35           (4) Provide affirmative proof of identity;

36           (5) Be completing an education program as described in  
37 subsection 2 of this section;

38           (6) Complete an application for interscholastic activity  
39 participation as required by the school;

40           (7) For athletics, or other activities involving physical activity,  
41 be declared able to participate in athletic activities by a physician or  
42 healthcare provider licensed to practice in Missouri;

43           (8) Be maintaining a satisfactory grade point average sufficient  
44 to meet the school district's academic policy to participate in  
45 interscholastic activities or making satisfactory progress in his or her  
46 education program that is considered equivalent to the school district's  
47 academic policy to participate in interscholastic activities.

48           7. No public school district, school board member, or employee  
49 of a public school district shall influence a student not enrolled in the  
50 district to seek to participate in interscholastic activities in the  
51 district.

52           8. A school district may declare a student ineligible to  
53 participate in interscholastic activities through that district for two  
54 years when:

55           (1) The student ceases enrollment in a public school district with  
56 a grade point average insufficient to meet the school district's  
57 academic policy to participate in interscholastic activities;

58           **(2) The student begins enrollment in another education program;**

59           **(3) While enrolled in the other education program, the student**

60 **attains a satisfactory grade point average sufficient to meet the school**

61 **district's academic policy to participate in interscholastic activities;**

62 **and**

63           **(4) The student seeks to participate in interscholastic activities**

64 **in the public school district in which he or she was previously enrolled**

65 **under this section.**

66 **Any such declaration of ineligibility shall be made on a case-by-case**

67 **basis after an inquiry by the school district.**

68           **9. Nothing in this section shall be construed as requiring a**

69 **school or school district to allow all students to participate in**

70 **interscholastic activities. A school or school district shall have**

71 **discretion as to which students may participate in interscholastic**

72 **activities. However, any student who desires to participate may seek**

73 **to participate.**

74           **10. No school or school district shall discriminate against a**

75 **student seeking to participate in interscholastic activities based on his**

76 **or her choice of education program.**

77           **11. For purposes of this section, "interscholastic activities" shall**

78 **include but not be limited to athletics, cheerleading, dance, debate,**

79 **music activities, pom team, speech, and winter guard.**

**160.1177. No school district shall become a member of, retain**

2 **membership in, or pay any fees to any statewide activities association**

3 **that is an unincorporated voluntary association of Missouri secondary**

4 **schools.**

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