

SENATE BILL NO. 306

INTRODUCED BY B. MOLNAR, S. HINEBAUCH

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING EDUCATION LAWS RELATED TO PARTICIPATION IN EXTRACURRICULAR ACTIVITIES; PROHIBITING THE USE OF ACCREDITATION STATUS AS A CONDITION OF MEMBERSHIP IN ASSOCIATIONS WITH AUTHORITY OVER INTERSCHOLASTIC SPORTS; AMENDING SECTION 20-5-112, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 20-5-112, MCA, is amended to read:

"20-5-112. Participation in extracurricular activities. (1) A school district or an athletic association, conference, or organization with authority over interscholastic sports may not prohibit or restrict the ability of a student attending a nonpublic or home school meeting the requirements of 20-5-109 from participating in extracurricular activities at a school in the student's resident school district solely on the student's enrollment at the public school or on the number of hours the student physically attends the public school.

(2) Except as provided in subsections (1) and (3), a student attending a nonpublic or home school who participates in extracurricular activities at a public school is subject to:

(a) the same standards for participation as those required of full-time students enrolled in the school;

(b) the same rules of any interscholastic organization of which the school of participation is a member.

(3) (a) The academic eligibility for extracurricular participation for a student attending a nonpublic school must be attested by the head administrator of the nonpublic school.

(b) The academic eligibility for extracurricular participation for a student attending a home school must be attested in writing by the educator providing the student instruction with verification by the school principal. The verification may not include any form of student assessment.

(4) An athletic association, conference, or organization with authority over interscholastic sports

1 may not prohibit or restrict the membership of a public or nonpublic school based solely on the school's
2 accreditation status established by the board of public education pursuant to 20-7-102."

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4 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2023.

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