



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: H.B. 441 of the 131st G.A.
(LSC_131_1803-4)

Date: May 23, 2016

Status: In House Education

Sponsor: Rep. McColley

Local Impact Statement Procedure Required: No

Contents: Participation in interscholastic activities

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- The bill generally permits a student enrolled in a nonpublic school outside of the student's resident district to participate in interscholastic activities not offered by the nonpublic school at the school district in which the nonpublic school is located if the superintendents of the student's resident district and the district in which the nonpublic school is located mutually agree. Any costs associated with allowing a nonresident nonpublic school student to participate in such activities are permissive for school districts and will vary depending on the specific activity.

Detailed Fiscal Analysis

Under current law, the superintendent of any school district may afford a student enrolled in a nonpublic school, and not a resident of that school district, the opportunity to participate in an extracurricular activity offered by a school in the district if the nonpublic school in which the student is enrolled does not offer the activity and the activity is not an interscholastic athletic activity or an interscholastic contest in music, drama, or forensics.

The bill permits a student enrolled in a nonpublic school to participate in interscholastic activities that are not offered by that school through either the student's resident district (which is already permitted under continuing law) or, if certain conditions are met, the nonresident district in which the nonpublic school is located. In the latter case, the bill specifies that the student must not have participated in an interscholastic activity at the resident school district during that school year and the superintendent of the student's resident district and the superintendent of the district in

which the student is seeking to participate in an extracurricular activity must mutually agree, in writing, to allow the student to participate in that activity.

The bill requires the nonpublic school student's resident school district to certify that the student has not participated in interscholastic activities for that district during the school year, creating a minimal amount of additional administrative responsibility for districts in these cases. Any costs associated with allowing a nonresident nonpublic school student to participate in interscholastic activities are permissive for school districts and will vary for each district depending on the specific activity.

The bill also clarifies that a student who participates in the College Credit Plus (CCP) Program cannot be denied the opportunity to participate in interscholastic activities solely due to participation in the program as long as they meet applicable academic, nonacademic, and financial requirements for eligibility. This provision likely has little, if any, fiscal effect, as CCP participants continue to be high school students. Presumably, most, if not all, districts permit CCP participants to take part in extracurricular activities as long as they are able to meet any scheduling or other requirements for the activity established by the district or other entities.¹

Synopsis of Fiscal Effect Changes

The substitute bill limits the nonresident districts at which a nonpublic school student may participate in interscholastic activities not offered by the nonpublic school, if agreed to by the appropriate district superintendents, to the district in which the student's nonpublic school is located. The As Introduced (previous) version of the bill permitted a nonpublic school student to participate in such interscholastic activities at any school district that is not the student's resident district as long as the appropriate superintendents agreed. Any costs for school districts associated with allowing a nonresident nonpublic school student to participate in interscholastic activities continue to be permissive under the substitute bill.

The substitute bill adds some minimal additional administrative responsibilities for school districts due to a provision requiring that, when a nonpublic school student wishes to participate in an interscholastic activity in the nonresident district in which the student's nonpublic school is located, the resident school district certify that the student has not participated in interscholastic activities for that district during the school year.

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¹ One such requirement comes from Ohio High School Athletic Association (OHSAA) bylaws, which mandate that all high school students, including CCP participants, must be passing at least five, one credit hour courses per grading period or the equivalent with the high school and college courses combined.