



# Ohio Legislative Service Commission

## Bill Analysis

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### Sub. H.B. 441

131st General Assembly  
(As Passed by the House)

**Reps.** McColley, Becker, Blessing, Brenner, Buchy, Burkley, Hambley, Henne, Huffman, Koehler, Retherford, Sweeney, Thompson, Zeltwanger, Sprague, Terhar

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## BILL SUMMARY

- Permits a student enrolled in a nonpublic school to participate in interscholastic activities at the school district in which the student's nonpublic school is located, so long as certain criteria are met.
- Prohibits a student who participates in the College Credit Plus (CCP) program from being denied the opportunity to participate in interscholastic athletics offered by the student's school, solely due to the student's participation in the program.

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## CONTENT AND OPERATION

### Nonpublic school student participation in district interscholastic activities

Current law authorizes, but does not require, a school district superintendent to afford any student who is enrolled in a chartered nonpublic or nonchartered nonpublic school and is not a resident student of that district, the opportunity to participate in an extracurricular activity offered by a school of the district, if (1) the student's nonpublic school does not offer the activity, and (2) the activity is not interscholastic athletics, interscholastic contests, or competition in music, drama, or forensics.

The bill, instead, permits such a student to participate in interscholastic athletics or interscholastic contests or competition in music, drama, or forensics, at the school district in which the student's nonpublic school is located. In order to participate under this provision, the superintendent of the student's resident district and the superintendent of the nonresident district must mutually agree, in writing, to allow the student to participate in that activity.

Additionally, the bill prohibits the student from participating at both the resident district and the district in which the student's nonpublic school is located in the same school year, by requiring that:

(1) The student must choose to participate at either the student's resident district or the district in which the nonpublic school is located. Under continuing law, nonpublic students are entitled to participate at the student's resident district.

(2) The superintendent of the resident district must certify that the student has not participated in interscholastic activities at the resident district during the school year. If the student has participated, then the student is not eligible to participate at the nonresident district during that school year.<sup>1</sup>

Under continuing law, the student also must be of the appropriate age and grade level, as determined by the student's nonresident district superintendent, and fulfill the same academic, nonacademic, and financial requirements as any other participant.

### **Participation in interscholastic athletics by students in the CCP program**

The bill prohibits a student who is enrolled in a public or nonpublic school from being denied the opportunity to participate in interscholastic athletics offered by that school solely because the student is participating or has participated in the College Credit Plus (CCP) program. Additionally, the bill applies the same prohibition from being denied the opportunity to participate in interscholastic athletics that are offered by the district school to which the student would have been assigned, if the CCP student is enrolled in a community school, STEM school, or nonpublic school or is home-instructed, provided the student is of the appropriate age and grade level and fulfills the same academic, nonacademic, and financial requirements as any other participant that are not related to the program.<sup>2</sup>

Current law requires each school district to afford the district's resident students who do not attend a district school the opportunity to participate in extracurricular activities offered by the school to which the student would otherwise be assigned during the current school year. This includes resident students who are enrolled in community schools, STEM schools, or chartered nonpublic schools, as well as those students who are home-instructed.<sup>3</sup>

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<sup>1</sup> R.C. 3313.5311.

<sup>2</sup> R.C. 3313.5314.

<sup>3</sup> R.C. 3313.5311. Also R.C. 3313.537 and 3313.5312, neither in the bill.

The CCP program allows high school students who are enrolled in public or nonpublic high schools or who are home-instructed to enroll in nonsectarian college courses to receive high school and college credit. College courses under CCP may be taken at any public or private college, as well as any eligible out-of-state college.<sup>4</sup>

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## HISTORY

ACTION	DATE
Introduced	01-28-16
Reported, H. Education	05-25-16
Passed House (76-21)	05-25-16

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<sup>4</sup> R.C. Chapter 3365., not in the bill.

