

HB1047_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.HB13-1047 be amended as follows:

1 Amend printed bill, page 2, after line 1, insert:

2 "SECTION 1. **Legislative declaration.** (1) The general
3 assembly hereby declares that all students enrolled in schools of public
4 school districts, district charter schools, institute charter schools,
5 nonpublic home-based educational programs, on-line education programs,
6 and private schools should have a fair and equitable opportunity to
7 participate in extracurricular activities as part of their educational
8 experience.

9 (2) The general assembly hereby finds that current state laws
10 concerning students' participation in extracurricular activities provide
11 that:

12 (a) A student may participate in activities only at the student's
13 school of attendance unless the school of attendance does not offer an
14 activity in which the student wishes to participate;

15 (b) If a student's school of attendance does not offer an activity in
16 which the student wishes to participate, the student may participate in the
17 activity at another public school in the student's school district of
18 attendance or in the student's school district of residence;

19 (c) If the activity is not offered at any public school in the school
20 district of attendance or the school district of residence, the student may
21 participate in the activity at a public school in a school district that is
22 contiguous to the student's school district of residence or at the nearest
23 public school that has the facilities for and offers the activity, even if the
24 public school is not in a contiguous school district; and

25 (d) If an activity is not offered at the student's school of
26 attendance and the student chooses to participate in the activity at a public
27 school in a contiguous school district, the school district in which the
28 student chooses to participate chooses the public school at which the
29 student participates. In choosing a public school, the school district must
30 choose the public school that offers the greatest number of activities in
31 which the student wishes to participate.

32 (3) The general assembly further finds that:

33 (a) Current state law concerning students' participation in
34 extracurricular activities also includes a provision that suggests that in
35 cases where a student may participate in an activity at a school other than
36 the student's school of attendance, the student, rather than the school
37 district where the student wishes to participate, may choose the school
38 where he or she will participate in the activity;



1 (b) This provision conflicts with the other statutory provisions
2 concerning students' participation in extracurricular activities and has
3 created the opportunity for parties to circumvent the intent of state law
4 and violate rules of the Colorado high school activities association, a
5 statewide high school activities association, regarding:

6 (I) Recruiting of players;

7 (II) The creation of "super teams" composed of recruited students,
8 which teams may establish long-term dominance and ongoing
9 championships, thereby creating the public perception of unfairness in
10 interscholastic athletic competition; and

11 (III) The displacement and exclusion of in-district students from
12 their own schools' teams.

13 (4) Now, then, the general assembly hereby declares that:

14 (a) If an activity is not offered at a student's school of attendance
15 and the student chooses to participate in the activity at another public
16 school, the school district in which the student chooses to participate shall
17 choose the public school at which the student shall participate; and

18 (b) In choosing a public school, the school district shall consider
19 certain factors, including but not limited to:

20 (I) Which public school of the school district offers the most
21 activities in which the student wishes to participate;

22 (II) Which public school or schools of the school district are
23 nearest to the student's residence;

24 (III) The preferences of the student's parents or legal guardians;
25 and

26 (IV) Such issues as may be presented for the school district's
27 consideration by a statewide high school activities association."

28 Renumber succeeding sections accordingly.

29 Page 2, strike lines 11 through 13 and substitute:

30 "choosing a public school, the school district shall ~~choose the public~~
31 ~~school that offers the greatest number of activities in which the student~~
32 ~~wishes to participate.~~ CONSIDER CERTAIN FACTORS, INCLUDING BUT NOT
33 LIMITED TO:

34 (I) WHICH PUBLIC SCHOOL OF THE SCHOOL DISTRICT OFFERS THE
35 MOST ACTIVITIES IN WHICH THE STUDENT WISHES TO PARTICIPATE;

36 (II) WHICH PUBLIC SCHOOL OR SCHOOLS OF THE SCHOOL DISTRICT
37 ARE NEAREST TO THE STUDENT'S RESIDENCE;

38 (III) THE PREFERENCES OF THE STUDENT'S PARENTS OR LEGAL
39 GUARDIANS; AND



1 (IV) SUCH ISSUES AS MAY BE PRESENTED FOR THE SCHOOL
2 DISTRICT'S CONSIDERATION BY A STATEWIDE HIGH SCHOOL ACTIVITIES
3 ASSOCIATION."

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