

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 13-0035.01 Julie Pelegrin x2700

HOUSE BILL 13-1095

HOUSE SPONSORSHIP

Stephens,

SENATE SPONSORSHIP

Marble,

House Committees
Education

Senate Committees
Education

A BILL FOR AN ACT

101 CONCERNING PARTICIPATION IN EXTRACURRICULAR SCHOOL
102 ACTIVITIES BY STUDENTS ENROLLED IN NONPUBLIC HOME-BASED
103 EDUCATIONAL PROGRAMS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Under the bill, a school district, a public school, or an interscholastic organization cannot require a student who is enrolled in a nonpublic home-based educational program to enroll in or complete course credits as a condition of participating in an extracurricular activity,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
2nd Reading Unamended
April 8, 2013

HOUSE
3rd Reading Unamended
February 11, 2013

HOUSE
Amended 2nd Reading
February 7, 2013

unless the activity is an extension of a course. The bill clarifies that the statute that governs a student's ability to enroll in a program or school other than the student's neighborhood school does not apply to student participation in extracurricular activities at a public school.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 22-33-104.5, **amend**

3 (6) (b) (I) as follows:

4 **22-33-104.5. Home-based education - legislative declaration -**

5 **definitions - guidelines.** (6) (b) (I) For purposes of this subsection (6),

6 a child who is participating in a nonpublic home-based educational

7 program ~~shall have~~ HAS the same rights as a student enrolled in a public

8 school of the school district in which the child resides or is enrolled and

9 may participate on an equal basis in any extracurricular or interscholastic

10 activity offered by a public school or offered by a private school, at the

11 private school's discretion, as provided in section 22-32-116.5 and is

12 subject to the same rules of any interscholastic organization or association

13 of which the student's school of participation is a member. A SCHOOL

14 DISTRICT, A PUBLIC SCHOOL, OR AN INTERSCHOLASTIC ORGANIZATION OR

15 ASSOCIATION SHALL NOT REQUIRE A CHILD WHO IS PARTICIPATING IN A

16 NONPUBLIC HOME-BASED EDUCATIONAL PROGRAM AND WHO CHOOSES TO

17 PARTICIPATE IN AN EXTRACURRICULAR ACTIVITY AT A PUBLIC SCHOOL

18 SELECTED BY THE DISTRICT TO ENROLL IN A COURSE OR TO COMPLETE ANY

19 COURSE CREDITS AS AN ELIGIBILITY REQUIREMENT OR OTHER CONDITION

20 FOR PARTICIPATING IN THE EXTRACURRICULAR ACTIVITY AT THE

21 DISTRICT-SELECTED SCHOOL OF PARTICIPATION; EXCEPT THAT THE SCHOOL

22 DISTRICT, PUBLIC SCHOOL, OR INTERSCHOLASTIC ORGANIZATION MAY


23 REQUIRE THE STUDENT TO ENROLL IN A COURSE IF THE EXTRACURRICULAR

1 ACTIVITY IS AN EXTENSION OF THE COURSE, SUCH AS A PERFORMING ARTS
2 GROUP.

3 **SECTION 2.** In Colorado Revised Statutes, 22-32-116.5, **add** (4)
4 (c) as follows:

5 **22-32-116.5. Extracurricular and interscholastic activities.**

6 (4) (c) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (4) TO
7 THE CONTRARY, A SCHOOL DISTRICT OR A PUBLIC SCHOOL SHALL NOT
8 REQUIRE A STUDENT WHO IS PARTICIPATING IN A NONPUBLIC HOME-BASED
9 EDUCATIONAL PROGRAM AND WHO CHOOSES TO PARTICIPATE IN AN
10 EXTRACURRICULAR ACTIVITY AT A PUBLIC SCHOOL SELECTED BY THE
11 DISTRICT TO ENROLL IN A COURSE OR TO COMPLETE ANY COURSE CREDITS
12 AS AN ELIGIBILITY REQUIREMENT OR OTHER CONDITION FOR
13 PARTICIPATING IN THE ACTIVITY AT THE DISTRICT-SELECTED SCHOOL OF
14 PARTICIPATION; EXCEPT THAT THE SCHOOL DISTRICT OR PUBLIC SCHOOL
15 MAY REQUIRE THE STUDENT TO ENROLL IN A COURSE IF THE
16 EXTRACURRICULAR ACTIVITY IS AN EXTENSION OF THE COURSE, SUCH AS
17 A PERFORMING ARTS GROUP.

18 
19 **SECTION 3. Safety clause.** The general assembly hereby finds,
20 determines, and declares that this act is necessary for the immediate
21 preservation of the public peace, health, and safety.