

Regular Session, 2013

SENATE BILL NO. 182

BY SENATOR CORTEZ

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENTS. Provides relative to cocurricular and extracurricular activities, including interscholastic athletics. (8/1/13)

1 AN ACT

2 To amend and reenact R.S. 17:176(A)(introductory paragraph) and (E), to enact R.S.

3 17:176(J), and to repeal R.S. 17:176(F), (G), (H), and (I) and 236.3, relative to

4 cocurricular and extracurricular activities, including interscholastic athletics; to

5 provide relative to the responsibilities of local schools and school systems and the

6 State Board of Elementary and Secondary Education with respect to such activities;

7 to provide relative to state and local policies, rules, and regulations governing

8 student participation in such activities; to repeal statutory provisions declared

9 unconstitutional by the courts; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:176(A)(introductory paragraph) and (E) are hereby amended and
12 reenacted and R.S. 17:176(J) is hereby enacted to read as follows:

13 §176. Extracurricular activities; interscholastic athletics; participation; standards;
14 prohibitions; filming or videotaping; definitions

15 A. ~~During the 1984-1985 school year and at~~ At such other times as he may
16 deem appropriate, the superintendent of each city ~~and parish,~~ **parish and other local**
17 **public** school system, together with the principals of middle, junior high, and high

1 schools in the school system, shall review all cocurricular and extracurricular
 2 activities and programs, **including interscholastic athletics**, in such schools and
 3 shall determine:

4 * * *

5 E. Notwithstanding any policy, rule, or regulation **adopted** by the governing
 6 authority of any public elementary or secondary school to the contrary ~~and effective~~
 7 ~~for the 1997-1998 school year and thereafter~~, no student otherwise eligible to
 8 participate in an extracurricular activity, **including interscholastic athletics**, shall
 9 be limited in the number of such activities in which the student may participate
 10 during a school year.

11 * * *

12 **J. No public high school shall be a member of or participate in any**
 13 **extracurricular interscholastic athletic activity administered or regulated by a**
 14 **legal entity which provides that no student otherwise eligible to participate in**
 15 **an extracurricular interscholastic athletic activity shall be prohibited from**
 16 **participating in any soccer camp or any other soccer showcase opportunity,**
 17 **including training applicable thereto, provided that such participation complies**
 18 **with applicable law, policies, guidelines, rules, and regulations with regard to**
 19 **college recruitment.**

20 Section 2. R.S. 17:176(F), (G), (H), and (I) and 236.3 are hereby repealed.

The original instrument was prepared by Jeanne Johnston. The following digest, which does not constitute a part of the legislative instrument, was prepared by J. Ashley Mitchell.

DIGEST

Cortez (SB 182)

Present law (R.S. 17:176(A)) requires each local school superintendent, as he deems appropriate, to review all cocurricular and extracurricular activities and programs with the middle, junior high, and high school principals in the school system to see if they are meeting student needs and are not eroding the academic standards of the schools.

Proposed law retains present law and specifically includes interscholastic athletics in the review process. Makes technical corrections in present law.

Present law (R.S. 17:176(E)) provides that despite any policy, rule, or regulation by the governing authority of a public elementary or secondary school to the contrary, no student

otherwise eligible to participate in an extracurricular activity shall be limited in the number of such activities in which the student may participate during a school year.

Proposed law retains present law and specifies that these provisions also apply to interscholastic athletics. Makes technical corrections in present law.

Proposed law provides that no public high school will be a member or participate in any extracurricular interscholastic athletic activity regulated by a legal entity which provides that no eligible student be prohibited from participating in any soccer camp or showcase, provided such participation complies with rules in regard to college recruitment.

Present law (R.S. 17:176(F)) provides that notwithstanding any Louisiana High School Athletic Association (LHSAA) policy, rule, or regulation to the contrary, no student otherwise eligible to participate in extracurricular interscholastic activity shall be determined ineligible to participate during the student's first year of high school because the student attends a state-approved nonpublic high school located outside of the attendance zone recognized by LHSAA if:

- (1) The high school attended by the student is operated by the same organization or federation of nonpublic schools that operated the school attended by the student the previous school year.
- (2) There is no state-approved nonpublic high school available for the student to attend within the LHSAA recognized zone operated by the same organization or federation of nonpublic schools.

Proposed law repeals present law as these provisions were declared unconstitutional by the La. Supreme Court. (Louisiana High School Athletic Association, Inc., vs. State, 2012-CA-1471 (La. 01/29/13)).

Present law (R.S. 17:176(G)) defines "family", "immediate family", and "extended family", for the purposes of LHSAA rules.

Proposed law repeals present law as these provisions were declared unconstitutional by the La. Supreme Court. (Louisiana High School Athletic Association, Inc., vs. State, 2012-CA-1471 (La. 01/29/13)).

Present law (R.S. 17:176(H)) provides that notwithstanding any LHSAA policy, rule, or regulation to the contrary, no student otherwise academically eligible to participate in extracurricular interscholastic activity shall be determined ineligible if the student's transfer was due to a move necessitated by military orders issued to the student's parent or legal guardian.

Proposed law repeals present law.

Present law (R.S. 17:176(I)) provides that notwithstanding any policy, rule, or regulation adopted by any legal entity that administers or regulates high school extracurricular interscholastic athletics in the state to the contrary, no student otherwise eligible to participate in extracurricular interscholastic activity shall be prohibited from participating in, or training for, any soccer camp or soccer showcase opportunity, provided that such participation complies with applicable laws, policies, guidelines, rules and regulations with regard to college recruitment.

Proposed law repeals present law.

Present law (R.S. 17:236.3) provides that a student in a BESE-approved home study program is eligible to participate in interscholastic athletic events at a LHSAA member high school in accordance with the conditions established in present law for such participation.

Proposed law repeals present law as these provisions were declared unconstitutional by the La. Supreme Court. (Louisiana High School Athletic Association, Inc., vs. State, 2012-CA-1471 (La. 01/29/13)).

Effective August 1, 2013.

(Amends R.S. 17:176(A)(intro para) and (E); adds R.S. 17:176(J); repeals R.S. 17:176(F), (G), (H), and (I) and 236.3)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Makes technical changes.
2. Prohibits a public high school from participating in an extracurricular athletic activity that is administered by a legal entity that prohibits eligible students from participating in certain soccer activities.