



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number: H. 4125 Introduced on March 9, 2023
Author: Guffey
Subject: Private School Sports Participation
Requestor: House Education and Public Works
RFA Analyst(s): Bryant
Impact Date: April 26, 2023 - Updated for Additional Agency Response

Fiscal Impact Summary

This bill provides limited situations in which high school students who attend a private or charter school may participate in high school league sports offered at public high schools in the district.

This bill will have no expenditure impact on the S.C. Department of Education (SCDE) since the bill does not alter the duties or responsibilities of the agency.

The overall expenditure impact of this bill on the local school districts is undetermined due to the varying responses received from the districts. SCDE surveyed the seventy-three regular school districts and the three charter districts regarding the expenditure impact of this bill and received responses from nineteen districts. Of the responding districts, seventeen indicate that the bill will have no expenditure impact, as any expenses will be minimal and can be managed with existing resources and staff. The remaining two districts indicate that expenses could increase by up to \$71,000 for uniforms, equipment, and insurance for private or charter school student athletes.

This impact statement has been updated to include responses from SCDE and the local school districts.

Explanation of Fiscal Impact

Updated for Additional Agency Response on April 26, 2023

Introduced on March 9, 2023

State Expenditure

This bill provides that high school students who attend a private or charter school may participate in high school league sports offered at public high schools in the district if the:

- Student resides within the attendance zone boundaries of the public school;
- Private or charter school that the student attends is not a member of the South Carolina High School League;
- Private or charter school attended by the student does not offer the particular sport for the student's gender;
- Particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

- Student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;
- Student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport; and
- Student meets all public school district eligibility requirements, except for the school district's school or class attendance requirements and the class and enrollment requirements of the association administering the interscholastic sports.

The bill specifies that a public school district may not contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of private or charter school students in interscholastic athletic programs supervised by the entity. The bill further specifies that eligibility requirements for new students to participate in interscholastic athletics may be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2023. Additionally, the provisions of this bill may not be construed as imputing any public school academic, athletic, or extracurricular policies or procedures to any private or charter school that a student attends if that student also participates in a public high school league sport pursuant to the terms of this bill, except for requirements related to maintaining a certain grade-point average and grade level for participating in and attending regularly scheduled practices of the sports team.

This bill will have no expenditure impact on the S.C. Department of Education (SCDE) since the bill does not alter the duties or responsibilities of the agency. *This section of the impact statement has been updated to include a response from SCDE.*

State Revenue

N/A

Local Expenditure

This bill provides limited situations in which high school students who attend a private or charter school may participate in high school league sports offered at public high schools in the district.

The overall expenditure impact of this bill on the local school districts is undetermined due to the varying responses received from the districts. SCDE surveyed the seventy-three regular school districts and the three charter districts regarding the expenditure impact of this bill and received responses from nineteen districts. Of the responding districts, seventeen indicate that the bill will have no expenditure impact, as any expenses will be minimal and can be managed with existing resources and staff. The remaining two districts indicate that expenses could increase by up to \$71,000 for uniforms, equipment, and insurance for private or charter school student athletes. *This section of the impact statement has been updated to include a response from the local school districts.*

Local Revenue

N/A

Introduced on March 9, 2023

State Expenditure

This bill provides that high school students who attend a private or charter school may participate in high school league sports offered at public high schools in the district if the:

- Student resides within the attendance zone boundaries of the public school;
- Private or charter school that the student attends is not a member of the South Carolina High School League;
- Private or charter school attended by the student does not offer the particular sport for the student's gender;
- Particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;
- Student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;
- Student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport; and
- Student meets all public school district eligibility requirements, except for the school district's school or class attendance requirements and the class and enrollment requirements of the association administering the interscholastic sports.

The bill specifies that a public school district may not contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of private or charter school students in interscholastic athletic programs supervised by the entity. The bill further specifies that eligibility requirements for new students to participate in interscholastic athletics may be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2023. Additionally, the provisions of this bill may not be construed as imputing any public school academic, athletic, or extracurricular policies or procedures to any private or charter school that a student attends if that student also participates in a public high school league sport pursuant to the terms of this bill, except for requirements related to maintaining a certain grade-point average and grade level for participating in and attending regularly scheduled practices of the sports team.

The expenditure impact of this bill on SCDE is pending, contingent upon a response.

State Revenue

N/A

Local Expenditure

This bill provides limited situations in which high school students who attend a private or charter school may participate in high school league sports offered at public high schools in the district.

The expenditure impact of this bill on the local school districts is pending, contingent upon a response.

Local Revenue

N/A



Frank A. Rainwater, Executive Director