



AN ACT REVISING LAWS RELATED TO THE ABILITY OF A STUDENT ATTENDING A NONPUBLIC SCHOOL OR HOME SCHOOL TO PARTICIPATE IN EXTRACURRICULAR ACTIVITIES OFFERED BY THE STUDENT'S RESIDENT SCHOOL DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Participation in extracurricular activities. (1) A school district or an athletic association, conference, or organization with authority over interscholastic sports may not prohibit or restrict the ability of a student attending a nonpublic or home school meeting the requirements of 20-5-109 from participating in extracurricular activities at a school in the student's resident school district solely on the student's enrollment at the public school or on the number of hours the student physically attends the public school.

(2) EXCEPT AS PROVIDED IN SUBSECTIONS (1) AND (3), a student attending a nonpublic or home school who participates in extracurricular activities at a public school is subject to:

- (a) the same standards for participation as those required of full-time students enrolled in the school;
- (b) the same rules of any interscholastic organization of which the school of participation is a member.

(3) (a) The academic eligibility for extracurricular participation for a student attending a nonpublic school must be attested by the head administrator of the nonpublic school.

(b) The academic eligibility for extracurricular participation for a student attending a home school must be attested in writing by the educator providing the student instruction with verification by the school principal.

The verification may not include any form of student assessment.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 20, chapter 5, part 1, and the provisions of Title 20, chapter 5, part 1, apply to [section 1].

Section 3. Effective date. [This act] is effective July 1, 2021.

- END -

I hereby certify that the within bill,
SB 157, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2021.

Speaker of the House

Signed this _____ day
of _____, 2021.

SENATE BILL NO. 157

INTRODUCED BY S. HINEBAUCH, K. BOGNER, J. ELLSWORTH, C. GLIMM, D. HOWARD, D. KARY, T. MANZELLA, T. MCGILLVRAY, B. MOLNAR, K. REGIER, C. SMITH, G. VANCE, M. BINKLEY, P. FIELDER, G. FRAZER, E. HILL, J. HINKLE, C. HINKLE, R. KNUDSEN, B. LER, R. MARSHALL, B. MITCHELL, M. NOLAND, B. PHALEN, A. REGIER, J. SCHILLINGER, B. TSCHIDA

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