
HOUSE BILL No. 1399

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-26-14.

Synopsis: Participation in school athletics. Allows students enrolled in nonaccredited nonpublic schools that are not members of an athletic association to participate under certain conditions in interscholastic athletic activities at accredited nonpublic schools and public schools that are members of an athletic association.

Effective: July 1, 2011.

Wesco

January 18, 2011, read first time and referred to Committee on Education.

C
O
P
Y



First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

C
o
p
y

HOUSE BILL No. 1399



A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-26-14-8 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2011]: **Sec. 8. (a) This section applies to a high school student
4 who:**

5 (1) attends a nonaccredited nonpublic school that is not a
6 member of an association; and

7 (2) intends to participate in high school athletics at a public
8 high school that is a member of an association.

9 (b) Beginning with the 2011-2012 school year, a student
10 described in subsection (a) may participate in high school athletics
11 at a public high school that is a member of an association if the
12 public high school is located within the legal settlement of the
13 student and the criteria set forth in subsection (c) are met.

14 (c) For a high school student described in subsection (a) to be
15 eligible to participate in interscholastic high school athletics at a
16 public high school that is a member of an association, all of the
17 following conditions must be met:



- 1 **(1) The high school must be located within the legal settlement**
- 2 **of the student.**
- 3 **(2) The student's parent must make a written request for the**
- 4 **student to participate in interscholastic athletic activities to**
- 5 **the principal of the public school providing the interscholastic**
- 6 **athletic activity.**
- 7 **(3) The student must receive written approval from the**
- 8 **principal of the school providing the interscholastic athletic**
- 9 **activity.**
- 10 **(4) The student must take a nationally recognized test that**
- 11 **assesses basic skills and achievement for each year of high**
- 12 **school and achieve at least the minimum standard score**
- 13 **commensurate with the student's grade level.**
- 14 **(5) The student must meet conditions applicable to students**
- 15 **who attend the public school concerning any required**
- 16 **insurance coverage, either by participating in insurance**
- 17 **programs offered by the public school or by providing for**
- 18 **insurance coverage in another manner.**
- 19 **(6) The student must meet all standards and requirements**
- 20 **applicable to a student participating in the interscholastic**
- 21 **athletic activity, including but not limited to tryouts, practice**
- 22 **time, codes of conduct and student discipline, physical exams,**
- 23 **proof of age, permission forms, waivers, required paperwork,**
- 24 **fees, and transportation arrangements, but excluding any**
- 25 **requirements that the student be enrolled in or attend the**
- 26 **public school.**
- 27 **(7) The student must have attended a nonpublic**
- 28 **nonaccredited school for the entire previous school year.**
- 29 **(d) The request described under subsection (c)(2) must be made**
- 30 **not later than eleven (11) days after the school year begins. The**
- 31 **principal of the public school providing the interscholastic athletic**
- 32 **activity shall approve or disapprove a written request described**
- 33 **under subsection (c)(2) not later than thirty (30) days after receipt**
- 34 **by the principal of the public school of all information and**
- 35 **documentation requested by the public school principal of the**
- 36 **student or the student's parent.**
- 37 **(e) A request for information and documentation by the**
- 38 **principal of the public school under this section is limited to**
- 39 **information and documentation that is required by this section and**
- 40 **information and documentation that is required of other students**
- 41 **who participate in interscholastic athletic activities.**
- 42 **(f) A decision by a public school principal to approve or**

**C
O
P
Y**



1 disapprove a written request for a student to participate in
2 interscholastic athletic activities at the public school where the
3 principal is employed is final.

4 SECTION 2. IC 20-26-14-9 IS ADDED TO THE INDIANA CODE
5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
6 1, 2011]: **Sec. 9. (a) This section applies to a high school student
7 who:**

8 (1) attends a nonaccredited nonpublic school that is not a
9 member of an association; and

10 (2) intends to participate in high school athletics at an
11 accredited nonpublic high school that is a member of an
12 association.

13 (b) Participation in high school athletics of a student described
14 in subsection (a) is at the discretion of the governing authority of
15 the accredited nonpublic school. If participation is permitted, the
16 governing authority shall determine the terms and conditions of
17 the participation of the student at the school. However, the
18 student's participation is subject to the same requirements,
19 policies, and rules of eligibility of the association as applicable to
20 other students participating in the activity at the school.

21 (c) A person does not have any cause of action arising from:

22 (1) a denial of participation of a student who attends a
23 nonaccredited nonpublic school in interscholastic athletics at
24 an accredited nonpublic school; or

25 (2) a refusal or denial by the accredited nonpublic school of
26 further participation by the student in interscholastic athletics
27 at the accredited nonpublic school.

28 SECTION 3. IC 20-26-14-10 IS ADDED TO THE INDIANA
29 CODE AS A NEW SECTION TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2011]: **Sec. 10. A student who:**

31 (1) has been enrolled in a public school or an accredited
32 nonpublic school during the current school year;

33 (2) has been determined ineligible to participate in one (1) or
34 more interscholastic athletic activities at a school described
35 under subdivision (1) for reasons related to student conduct
36 or academic performance, or both; and

37 (3) enrolls in a nonaccredited nonpublic school;
38 is ineligible to participate in interscholastic athletic activities as
39 under section 8 or 9 of this chapter for one (1) school year after the
40 date the student was determined ineligible.

41 SECTION 4. IC 20-26-14-11 IS ADDED TO THE INDIANA
42 CODE AS A NEW SECTION TO READ AS FOLLOWS

C
o
p
y



1 [EFFECTIVE JULY 1, 2011]: **Sec. 11. A nonaccredited nonpublic**
2 **school student who provides false information, documentation, or**
3 **verification of the student's qualifications for the purpose of**
4 **meeting eligibility requirements to participate in interscholastic**
5 **athletic activities is ineligible to participate in interscholastic**
6 **athletic activities in accordance with policies of the association and**
7 **may be subject to penalties as provided by the association.**
8 SECTION 5. IC 20-26-14-12 IS ADDED TO THE INDIANA
9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2011]: **Sec. 12. If the association finds that a**
11 **public or accredited nonpublic school is knowledgeable of any false**
12 **representation, documentation, or verification of a nonaccredited**
13 **nonpublic school student's qualifications that was made for the**
14 **purpose of meeting eligibility requirements to participate in**
15 **interscholastic athletic activities, and the school does not declare**
16 **the student ineligible for participation, the school is subject to**
17 **penalties established by the association.**

C
O
P
Y

