

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 624 Session of  
2009

INTRODUCED BY GORDNER, PICCOLA, PILEGGI, BAKER, BROWNE, EARLL,  
EICHELBERGER, ERICKSON, FERLO, GREENLEAF, LEACH, LOGAN,  
O'PAKE, ORIE, RAFFERTY, SMUCKER, WASHINGTON, WAUGH AND  
WONDERLING, MARCH 16, 2009

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, JUNE 22,  
2009

## AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," further providing for school  
6 athletics, publications and organizations.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 511(a) of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949,  
11 amended April 14, 1949 (P.L.460, No.85), is amended and the  
12 section is amended by adding a subsection to read:

13 Section 511. School Athletics, Publications, and  
14 Organizations.--

15 (a) The board of school directors in every school district  
16 shall prescribe, adopt, and enforce such reasonable rules and  
17 regulations as it may deem proper, regarding (1) the management,  
18 supervision, control, or prohibition of exercises, athletics, or

1 games of any kind, school publications, debating, forensic,  
2 dramatic, musical, and other activities related to the school  
3 program, including raising and disbursing funds for any or all  
4 of such purposes and for scholarships, and (2) the organization,  
5 management, supervision, control, financing, or prohibition of  
6 organizations, clubs, societies and groups of the members of any  
7 class or school, and may provide for the suspension, dismissal,  
8 or other reasonable penalty in the case of any appointee,  
9 professional or other employee, or pupil who violates any of such  
10 rules or regulations. The board shall provide for the inclusion  
11 in any of these activities any student who lives within the  
12 school district, attends a private or nonpublic school and  
13 elects to participate in such public school activities that are  
14 not offered by the private or nonpublic school. The student  
15 shall be subject to the same rules and regulations that apply to  
16 students enrolled in the school district relating to such  
17 activities.

18 ~~(a.1) The board of school directors shall not restrict~~  
19 ~~inclusions of a student who lives within the school district but~~  
20 ~~is enrolled in a charter or cyber charter school, private or~~  
21 ~~nonpublic school or participating in a home education program,~~  
22 ~~in an activity in accordance with subsection (a) by making the~~  
23 ~~activity or converting the activity to be part of the regular~~  
24 ~~school curriculum or by granting credit toward graduation~~  
25 ~~requirements for participation. Nothing in this section shall~~  
26 ~~preclude a school district from providing a public school~~  
27 ~~student with credit for participation in such activities.,~~

28 INCLUDING, BUT NOT LIMITED TO:

29 (1) MEETING THE ELIGIBILITY CRITERIA, OR THEIR EQUIVALENT,  
30 FOR PARTICIPATION IN THE ACTIVITY THAT APPLY TO STUDENTS

ENROLLED IN THE SCHOOL DISTRICT;

(2) MEETING THE TRY-OUT CRITERIA, OR THEIR EQUIVALENT, FOR PARTICIPATION IN THE ACTIVITY THAT APPLY TO STUDENTS ENROLLED IN THE SCHOOL DISTRICT; AND

(3) COMPLYING WITH ALL POLICIES, RULES AND REGULATIONS, OR THEIR EQUIVALENT, OF THE GOVERNING ORGANIZATION OF THE ACTIVITY.

FOR THE PURPOSE OF THIS SUBSECTION, THE SCHOOL DISTRICT OF RESIDENCE'S PROGRAM OF INTERSCHOLASTIC ATHLETICS, INCLUDING VARSITY SPORTS, SHALL BE CONSIDERED AN ACTIVITY AND SHALL INCLUDE ALL ACTIVITIES RELATED TO COMPETITIVE SPORTS CONTESTS, GAMES, EVENTS OR EXHIBITIONS INVOLVING INDIVIDUAL STUDENTS OR TEAMS OF STUDENTS WHENEVER SUCH ACTIVITIES OCCUR BETWEEN SCHOOLS WITHIN THE SCHOOL DISTRICT OR BETWEEN OR AMONG SCHOOLS OUTSIDE OF THE SCHOOL DISTRICT.

WHERE THE ACTIVITY REQUIRES COMPLETION OF A PHYSICAL EXAMINATION OR MEDICAL TEST AS A CONDITION OF PARTICIPATION AND THE SCHOOL DISTRICT OF RESIDENCE OFFERS SUCH PHYSICAL EXAMINATION OR MEDICAL TEST TO STUDENTS ENROLLED IN THE SCHOOL DISTRICT, THE SCHOOL DISTRICT SHALL PERMIT A PRIVATE OR NONPUBLIC STUDENT QUALIFYING UNDER THIS SECTION TO ACCESS SUCH PHYSICAL EXAMINATION OR MEDICAL TEST. THE SCHOOL DISTRICT SHALL PUBLISH THE DATES AND TIMES OF SUCH PHYSICAL EXAMINATION OR MEDICAL TEST ON ITS PUBLICLY ACCESSIBLE INTERNET WEBSITE.

(A.1) THE BOARD OF SCHOOL DIRECTORS SHALL NOT RESTRICT INCLUSION OF A STUDENT WHO LIVES WITHIN THE SCHOOL DISTRICT AND IS ENROLLED IN A CHARTER, CYBER CHARTER, PRIVATE OR NONPUBLIC SCHOOL, OR PARTICIPATING IN A HOME EDUCATION PROGRAM, FROM AN ACTIVITY IN ACCORDANCE WITH SUBSECTION (A) BY PROHIBITING THE STUDENT FROM PARTICIPATING IN AN ACTIVITY THAT IS PART OF THE REGULAR SCHOOL CURRICULUM OR BY PROHIBITING THE STUDENT FROM

1 PARTICIPATING IN AN ACTIVITY THAT IS CONSIDERED FOR CREDIT  
2 TOWARD SCHOOL DISTRICT GRADUATION REQUIREMENTS.

3 \* \* \*

4 Section 2. This act shall take effect in 60 days.