

SECOND REGULAR SESSION

# SENATE BILL NO. 788

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEMBKE.

Read 1st time January 19, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

4401S.011

## AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to interscholastic athletics.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be known as section 160.1175, to read as follows:

**160.1175. 1. This section shall be known and may be cited as the "Students First Interscholastic Athletics Act".**

**2. It is the intent of the general assembly that every student of high school age has the opportunity to participate in interscholastic athletics, including, but not limited to:**

**(1) Students who attend public school;**

**(2) Students who attend private school;**

**(3) Students who pursue their education through the virtual public school established in section 161.670; and**

**(4) Students who complete their education through a program of home schooling.**

**3. It is the intent of the general assembly that all students of high school age have equal access to interscholastic athletics, regardless of background and education program.**

**4. Any student of high school age in Missouri described in subsection 2 of this section shall have the right to seek to participate in interscholastic athletics through the school that he or she attends. If the student's school of attendance does not offer interscholastic athletics, the student shall be able to participate in interscholastic athletics through his or her public school district of residence.**

**5. Each school that offers interscholastic athletics shall identify**

22 and make public, by July first of each year, the individual sports and  
23 athletic programs that it shall provide to students. When providing  
24 such information, each school shall identify an approximate number of  
25 athletes that may participate on each sports team at such time.

26 6. To be eligible to participate in interscholastic athletics, a  
27 student shall:

28 (1) Be not less than fourteen years of age but not older than  
29 nineteen years of age;

30 (2) Be a resident of the state of Missouri;

31 (3) Be a United States citizen, United States national, permanent  
32 resident of the United States, or otherwise have lawful presence in the  
33 United States;

34 (4) Provide affirmative proof of identity;

35 (5) Be completing an education program as described in  
36 subsection 2 of this section;

37 (6) Complete an application for athletic participation as required  
38 by the school;

39 (7) Be declared able to participate in athletic activities by a  
40 physician or healthcare provider licensed to practice in Missouri;

41 (8) Be maintaining a satisfactory grade point average sufficient  
42 to meet the school district's academic policy to participate in athletics  
43 or making satisfactory progress in his or her education program that  
44 is considered equivalent to the school district's academic policy to  
45 participate in athletics.

46 7. Nothing in this section shall be construed as requiring a  
47 school or school district to allow all students to participate in  
48 interscholastic athletics. A school or school district shall have  
49 discretion as to which students may participate on a team, based on  
50 ability. However, any student who desires to participate may seek to  
51 participate.

52 8. No school or school district shall discriminate against a  
53 student seeking to participate in interscholastic athletics based on his  
54 or her choice of education program.

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