

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 903

H.P. 662

House of Representatives, March 8, 2011

**An Act To Allow a Student Attending Private School Access to
Public School Cocurricular, Interscholastic and Extracurricular
Activities**

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative PICCHIOTTI of Fairfield.
Cosponsored by Senator MASON of Androscoggin and
Representatives: CRAFTS of Lisbon, CROCKETT of Bethel, DAVIS of Sangerville, KNIGHT
of Livermore Falls, MORISSETTE of Winslow, O'CONNOR of Berwick, SANDERSON of
Chelsea, Senator: WHITTEMORE of Somerset.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §5021-A** is enacted to read:

3 **§5021-A. Standards for participation in public schools by students enrolled in**
4 **equivalent instruction programs in private schools with fewer than 30**
5 **students**

6 A school administrative unit shall conform to the following standards in making
7 public school resources and services available to a student enrolled in an equivalent
8 instruction program. For the purposes of this section, "student enrolled in an equivalent
9 instruction program" means a student otherwise eligible to attend school in that school
10 administrative unit, including a student who resides in the unorganized territory, when the
11 student is enrolled in an equivalent instruction program in a private school that enrolls
12 fewer than 30 students and is recognized as an equivalent instruction alternative under
13 section 5001-A, subsection 3, paragraph A, subparagraph (1), division (a) or (b).

14 **1. Participation in cocurricular activities.** A student enrolled in an equivalent
15 instruction program is eligible to participate in cocurricular activities sponsored by the
16 local school unit as long as the following requirements are met.

17 A. The student or the student's parent or guardian, on behalf of the student, applies in
18 writing to and receives written approval from the principal of the school or the
19 principal's designee. Participation may not be unreasonably withheld.

20 B. The student agrees to meet established behavioral, disciplinary, attendance and
21 other rules applicable to all students.

22 **2. Participation in extracurricular and interscholastic activities.** A student
23 enrolled in an equivalent instruction program, if that student applies in writing, is eligible
24 to try out for extracurricular and interscholastic activities sponsored by the local school
25 unit as long as the following requirements are satisfied.

26 A. The student agrees to abide by rules of participation equivalent to those applicable
27 to regularly enrolled students participating in the activity and provides evidence that
28 the rules of participation are being met.

29 B. The student complies with the same physical examination, immunization,
30 insurance, age and semester eligibility requirements as regularly enrolled students
31 participating in the activity. All required documentation must be made available
32 upon request by the local school unit.

33 C. The student meets academic standards equivalent to those established for
34 regularly enrolled students participating in the activity and provides evidence that the
35 academic standards are being met.

36 D. The student abides by the same transportation policy as regularly enrolled
37 students participating in the activity.

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SUMMARY

This bill provides that a student enrolled in an equivalent instruction program in a private school that enrolls fewer than 30 students is eligible to participate in public school cocurricular, extracurricular and interscholastic activities.