

Senate Engrossed

nonpublic school students; interscholastic activities

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

# SENATE BILL 1564

AN ACT

AMENDING SECTION 15-802.01, ARIZONA REVISED STATUTES; RELATING TO SCHOOL ATTENDANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-802.01, Arizona Revised Statutes, is amended  
3 to read:

4 15-802.01. Nonpublic school students; eligibility to  
5 participate in interscholastic activities;  
6 definition

7 A. Notwithstanding any other law, a ~~child~~ NONPUBLIC SCHOOL STUDENT  
8 who resides within the attendance area of a public school ~~and who is~~  
9 ~~homeschooled~~ shall be allowed to try out for interscholastic activities on  
10 behalf of the public school in the same manner as a ~~pupil~~ STUDENT who is  
11 enrolled in that public school. Registration, age eligibility  
12 requirements, fees, insurance, transportation, physical condition,  
13 qualifications, responsibilities, event schedules, standards of behavior  
14 and performance policies for ~~homeschooled~~ NONPUBLIC SCHOOL students shall  
15 be consistent with those policies established for students enrolled in  
16 that public school. THIS SUBSECTION DOES NOT RESTRICT A PUBLIC SCHOOL'S  
17 AUTHORITY TO REQUIRE A QUALIFIED STUDENT AS DEFINED IN SECTION 15-2401 OR  
18 15-2401.01 TO PAY FOR SERVICES PROVIDED BY A PUBLIC SCHOOL IN CONNECTION  
19 WITH INTERSCHOLASTIC ACTIVITIES. The ~~individual~~ PERSON providing the  
20 primary instruction of a ~~child who is homeschooled~~ NONPUBLIC SCHOOL  
21 STUDENT shall submit written verification that provides:

22 1. Whether the student is receiving a passing grade in each course  
23 or subject being taught.

24 2. Whether the student is maintaining satisfactory progress towards  
25 advancement or promotion.

26 B. A ~~child who is homeschooled and~~ NONPUBLIC SCHOOL STUDENT who was  
27 previously enrolled in a ~~public, private or charter~~ DIFFERENT school ~~shall~~  
28 ~~be~~ IS ineligible to participate in interscholastic activities for the  
29 remainder of the school year during which the ~~child~~ STUDENT was enrolled  
30 in a DIFFERENT school.

31 C. A school district shall not contract with any private entity  
32 that supervises interscholastic activities if the private entity prohibits  
33 the participation of ~~homeschooled children~~ NONPUBLIC SCHOOL STUDENTS in  
34 interscholastic activities at public, private or charter schools.

35 D. FOR THE PURPOSES OF THIS SECTION, "NONPUBLIC SCHOOL STUDENT"  
36 MEANS A CHILD WHO IS ANY OF THE FOLLOWING:

37 1. EDUCATED IN A HOMESCHOOL AS DEFINED IN SECTION 15-802, WHOSE  
38 PARENT HAS FILED A VALID AFFIDAVIT OF INTENT TO HOMESCHOOL PURSUANT TO  
39 SECTION 15-802 AND WHO IS NOT EDUCATED PURSUANT TO CHAPTER 19 OF THIS  
40 TITLE.

41 2. EDUCATED PURSUANT TO AN ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT  
42 PURSUANT TO CHAPTER 19 OF THIS TITLE AND WHO IS NOT ENROLLED IN A  
43 QUALIFIED SCHOOL AS DEFINED IN SECTION 15-2401.

44 3. EDUCATED IN A PRIVATE SCHOOL AS DEFINED IN SECTION 15-802 IF THE  
45 PRIVATE SCHOOL HAS FEWER THAN ONE HUNDRED ENROLLED STUDENTS AND DOES NOT  
46 OFFER THE INTERSCHOLASTIC ACTIVITY FOR WHICH THE STUDENT IS TRYING OUT.