

CHAPTER 8

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 04-1363

BY REPRESENTATIVE(S) King, Spradley, Brophy, Cadman, Carroll, Frangas, Harvey, Hefley, Lee, Lundberg, McFadyen, Mitchell, Paccione, Rose, Schultheis, Welker, and Wiens;
also SENATOR(S) Kester, and Andrews.

AN ACT**CONCERNING PARTICIPATION IN ACTIVITIES NOT OFFERED WITHIN A STUDENT'S SCHOOL DISTRICT.**

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

SECTION 1. 22-32-116.5 (2) (b) and (2) (c), Colorado Revised Statutes, are amended to read:

22-32-116.5. Extracurricular and interscholastic activities. (2) (b) If a student's school of attendance or nonpublic home-based educational program does not offer an activity in which the student wishes to participate, the student may participate in the activity at another public school in the student's school district of attendance or in the student's school district of residence. If the activity is not offered at any public school in the school district of attendance or the school district of residence, the student may participate in the activity at a public school in a school district that is contiguous to the student's school district of residence OR AT THE NEAREST PUBLIC SCHOOL THAT HAS THE FACILITIES FOR AND OFFERS THE ACTIVITY, EVEN IF THE PUBLIC SCHOOL IS NOT IN A CONTIGUOUS SCHOOL DISTRICT.

(c) If an activity is not offered at the student's school of attendance and the student chooses to participate in the activity at a public school IN A CONTIGUOUS SCHOOL DISTRICT, the school district in which the student chooses to participate, as provided in paragraph (b) of this subsection (2), shall choose the public school at which the student shall participate. In choosing a public school, the school district shall choose the public school that offers the greatest number of activities in which the student wishes to participate.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 1, 2004