



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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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**

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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**

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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.

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