

AMENDED IN SENATE MAY 1, 2006

SENATE BILL

No. 1411

Introduced by Senator Ortiz

February 22, 2006

An act to add Section 35179.05 to the Education Code, relating to athletic eligibility.

LEGISLATIVE COUNSEL'S DIGEST

SB 1411, as amended, Ortiz. Interscholastic athletics: transfer eligibility.

Existing law grants a school district governing board general control of interscholastic athletic policies, programs, and activities in its district, including eligibility. Existing law authorizes governing boards to enter into associations with other boards for the purpose of governing interscholastic athletic programs by permitting the schools under their jurisdictions to enter into voluntary associations with other schools related to eligibility for, and participation in, interscholastic athletic programs. Existing law permits pupils to transfer from one school to another based on certain conditions.

This bill would require all voluntary interscholastic athletic associations of which secondary schools are members to permit a pupil to retain immediate eligibility to participate in any sport after his or her first transfer for any reason from one school to another school, as specified, unless the pupil transfers for disciplinary reasons. ~~The bill also would require all voluntary interscholastic athletic associations of which secondary schools are members to authorize the school from which the pupil transfers to protest this automatic eligibility to the association of which it is a member if the school believes the pupil was recruited to transfer to the other school in order~~

~~to participate in a sport in which the pupil participated at the school from which the pupil transferred. The bill would provide that the retention of eligibility does not apply to a pupil who transfers during the athletic season during which his or her sport is played. The bill would permit a voluntary athletic association of which secondary schools are members to prohibit a coach or athletic director determined to have engaged in athletic recruitment from coaching or otherwise participating in athletic activities for one year after the determination that the individual engaged in athletic recruitment is made.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 35179.05 is added to the Education
 2 Code, to read:
 3 35179.05. (a) All voluntary interscholastic athletic
 4 associations of which secondary schools are members shall
 5 ~~comply with the following:~~
 6 ~~(a) A pupil shall permit a pupil to~~ retain his or her eligibility to
 7 participate, including at the varsity level, in any sport after his or
 8 her first transfer in four years for any reason from one school to
 9 another school, unless the pupil transfers for disciplinary reasons.
 10 (1) No period of time shall be required to ~~pass~~ *elapse* prior to
 11 the pupil participating in any sport at the school to which the
 12 pupil transfers, *if both of the following conditions have been met:*
 13 (A) *The pupil, the principal of the school from which the pupil*
 14 *is transferring, the principal of the school to which the pupil is*
 15 *transferring, and the parents or legal guardians of the pupil sign*
 16 *a statement acknowledging that the pupil is not transferring*
 17 *because of recruitment.*
 18 (B) *The signed statement has been forwarded to the*
 19 *appropriate voluntary interscholastic athletic association by the*
 20 *athletic director of the school from which the pupil is*
 21 *transferring.*
 22 (2) This subdivision shall apply even if a pupil transfers from
 23 a private school to a public school ~~or~~, a public school to a private
 24 school, *or a private school to a private school.*

1 (3) *This subdivision does not apply to a pupil who transfers*
2 *during the athletic season during which his or her sport is*
3 *played.*

4 ~~(3)~~

5 (4) A voluntary interscholastic athletic association of which
6 secondary schools are members may choose not to comply with
7 ~~subdivision (a) this subdivision~~ regarding any additional transfer
8 beyond the first transfer of a pupil in four years.

9 ~~(b) A school from which a pupil transfers shall have the right~~
10 ~~to protest the automatic retention of eligibility described in~~
11 ~~subdivision (a) to the voluntary interscholastic athletic~~
12 ~~association of which it is a member if the school believes the~~
13 ~~pupil was recruited to transfer to the other school in order to~~
14 ~~participate in a sport in which the pupil participated at the school~~
15 ~~from which the pupil transferred.~~

16 (b) *A voluntary athletic association of which secondary*
17 *schools are members may prohibit a coach or athletic director*
18 *determined to have engaged in athletic recruitment from*
19 *coaching or otherwise participating in athletic activities for one*
20 *year after the determination that the individual engaged in*
21 *athletic recruitment is made.*