

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 681 (Senator Beidle)
Education, Energy, and the Environment

Education – Virtual Schools – Access to Extracurricular Activities and Athletics

This bill requires a virtual school to provide each enrolled student with access to (1) extracurricular activities at the public school the student would otherwise be required to attend and (2) notwithstanding any other law or regulation, and subject to a participation agreement between the public school and the parent of the student, participation in organized athletics and on athletic teams at the public school the student would otherwise be required to attend. A virtual school must also provide to parents of enrolled students informational materials on the access to extracurricular activities and athletic participation provided for under the bill. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: None. The Maryland State Department of Education (MSDE) can revise any regulations using existing resources.

Local Effect: As explained below, local school systems expenditures may increase minimally to include additional students in extracurricular activities. However, in order to maintain costs at current levels, limits may need to be imposed on the number of students who may participate in activities that currently have no such limits.

Small Business Effect: None.

Analysis

Current Law:

Public School Athletics

State regulations under MSDE govern the athletic program for all high school students in Maryland public secondary schools that are members of the Maryland Public Secondary Schools Athletic Association (MPSSAA), which includes all 24 school systems. Local school systems may adopt rules governing their athletic programs that are more restrictive than those of MPSSAA; less restrictive rules may not be adopted.

Per State regulation, to be eligible for participation in high school level interscholastic athletics, students must be officially registered and attending the MPSSAA member school they are authorized to attend under regulations of the local school system. They may represent only the school in which they are registered and at which it is anticipated they will complete their graduation requirements. Each local school system must establish standards of participation that assure that students involved in interscholastic athletics are making satisfactory progress toward graduation.

Failure to comply with regulations constitutes a violation that results in specified penalties against the MPSSAA member school and either the student or the coach, or both. Depending upon the severity of the violation, more than one penalty may be imposed against the MPSSAA member school, student, coach, or all of the above.

Virtual Schools

A local board of education is authorized to establish a virtual school, subject to the approval of MSDE. A student who is eligible for enrollment in a public school in the State may enroll in a virtual school. Enrolled students must be provided with (1) a sequential curriculum approved by the State Board of Education; (2) the same length of time for learning opportunities per academic year that is required for public school students, unless the student demonstrated mastery or completion of the subject area; and (3) regular assessments. A virtual school must provide the parents or guardians of enrolled students with instructional materials, including software, and information on the closest public facility that offers access to a computer, printer, and Internet connection. Virtual schools must follow specified quality online education standards beginning in the 2022-2023 school year.

Local Expenditures: Public virtual school enrollment is relatively small compared to total public school enrollment. It is unknown how many virtual school students will choose to participate in public school extracurricular activities. Local school systems may need to

impose a cap on extracurricular activities that currently have no participation limits to maintain costs within current limits. It is assumed that the total number of students who participate in extracurricular activities at public schools does not materially increase due to participation caps. Even with participation caps, additional staff time may need to be spent on recordkeeping and eligibility compliance; however, this is anticipated to have no material impact on expenditures.

If participation caps are not imposed, local school system expenditures may increase due to additional staff supervision, transportation, and equipment costs. Any such costs cannot be reliably estimated.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Department of Legislative Services

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