**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3802**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bustos, Hartnett, Landing and Teeple

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Currently residing in the House Committee on **Education and Public Works**

Summary: Participation in school activities and programs

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/28/2025 House Introduced and read first time (House Journal‑page 23)

 1/28/2025 House Referred to Committee on **Education and Public Works** (House Journal‑page 23)

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**VERSIONS OF THIS BILL**

[01/28/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3802_20250128.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59‑63‑100, RELATING TO PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOL DISTRICTS BY HOME SCHOOL, CHARTER SCHOOL, AND GOVERNOR’S SCHOOL STUDENTS, SO AS TO INCLUDE PARTICIPATION IN COCURRICULAR ACTIVITIES, EXTRACURRICULAR ACTIVITIES, AND CAREER AND TECHNICAL EDUCATION, TO PROVIDE EQUAL TREATMENT FOR SUCH STUDENTS AND STUDENTS ENROLLED IN PUBLIC SCHOOLS IN THE DISTRICT, AND TO DEFINE NECESSARY TERMS, AMONG OTHER THINGS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 59‑63‑100 of the S.C. Code is amended to read:

 Section 59‑63‑100. (A) As used in this section:

 (1) “Charter school student” is a child enrolled in a charter school established pursuant to Chapter 40, Title 59.

 (2) “Governor’s school student” is a child enrolled at a Governor’s school established pursuant to this title.

 (3) “Home school student” is a child taught in accordance with Section 59‑65‑40, 59‑65‑45, or 59‑65‑47 and has been taught in accordance with one of these sections for a full academic year prior to participating in an interscholastic activity pursuant to this section.

 (4) “Interscholastic activities” includes, but isinclude, but are not limited to, athletics, music, speech, and other extracurricular activities.

 (5) “Cocurricular activities” include any school activities that merge an extracurricular activity with an academic course.

 (6) “Extracurricular activities” include, but are not limited to, athletics, band, orchestra, chorus, drama, theatre, speech, debate, junior reserve officer training corps programs and activities, and career and technical education.

 (7) “Career and technical education” includes, but is not limited to, cosmetology, shop, machining, welding, vocational and technical education.

 (B) Individual Governor’s school students and home school students may not be denied by a school district the opportunity to participate in interscholastic activities, cocurricular activities, extracurricular activities, or career and technical education on the same basis as a full‑time student enrolled in the district if the:

 (1) student meets all school district eligibility requirements with the exception of the:

 (a) school district’s school or class attendance requirements; and

 (b) class and enrollment requirements of the associations or the school district administering the interscholastic activities, cocurricular activities, extracurricular activities, or career and technical education;

 (2) student’s teacher, in the case of a Governor’s school student, certifies by submitting an affidavit to the school district that the student fully complies with the law and any attendance, class, or enrollment requirements for a Governor’s school. In addition, a charter school student’s teacher, in the same manner required by this subsection for a Governor’s school student, also must certify by affidavit to the student’s school district that the student fully complies with the law and any attendance, class, or enrollment requirements for a charter school in order for the student to participate in interscholastic activities, cocurricular activities, extracurricular activities, or career and technical education in the manner permitted by Chapter 40 of this title;

 (3) student participating in interscholastic activities, cocurricular activities, extracurricular activities, or career and technical education:

 (a) resides within the attendance boundaries of the school for which the student participates; or

 (b) in the case of a Governor’s school student, resides or attends a Governor’s school within the attendance boundaries of the school for which the student participates; and

 (4) student notifies the superintendent of the school district in writing of his intent to participate in the interscholastic activity, cocurricular activity, extracurricular activity, or career and technical education as a representative of the school before the beginning date of the season for the activity in which he wishes to participate.

 (C) A public school student who has been unable to maintain academic eligibility is ineligible to participate in interscholastic activities as a charter school student, Governor’s school student, or home school student for the following semester. To establish eligibility for subsequent school years, the student’s teacher shall certify by submitting an affidavit to the school district that the student meets the relevant policies of the school at which the student wishes to participate.

 (D) A Governor’s school student or home school student is required to fulfill the same responsibilities and standards of behavior and performance, including related practice requirements, of other students participating in the interscholastic activities of the team or squad and is required to meet the same standards for acceptance on the team or squad. A Governor’s school student or home school student is required to fulfill the same responsibilities and standards of behavior as other students participating in the cocurricular activities, extracurricular activities, or career and technical education.

 (E) A Governor’s school may not be denied by a school district the opportunity to have a team representing the school participate in interscholastic activities if the team meets the same eligibility requirements of other teams. An individual Governor’s school student may not participate in an interscholastic activity of a public school district if the school that the student is enrolled in has a team or squad participating in that interscholastic activity.

 (F) A school district may not contract with a private entity that supervises interscholastic activities, cocurricular activities, extracurricular activities, or career and technical education if the private entity prohibits the participation of charter school students, Governor’s school students, or home school students in interscholastic activities, cocurricular activities, extracurricular activities, or career and technical education.

 (G) A school district may not charge a Governor’s school student or a home school student a participation fee or otherwise assess any cost, require any reimbursement, or impose any other charge for the student to participate in a cocurricular activity, extracurricular activity, or career and technical education offered by the district that is not also charged, assessed, required, or imposed on students enrolled full‑time in the district for their participation in the activity.

 (H) A home school student who participates in interscholastic activities, cocurricular activity, extracurricular activity, or career and technical education pursuant to this section must be included in the average daily attendance of the school district in which the student resides and must be counted based on the amount of time the student spends in the public school for the activity or career and technical education.

 (I) A school district may not place any additional requirements on a home school student who participates in interscholastic activities, cocurricular activities, extracurricular activities, or career and technical education pursuant to this section beyond those in Section 59‑65‑40, 59‑65‑45, or 59‑65‑47.

 (J) For purposes of this section, a Governor’s school student or a home school student may participate at the same time in interscholastic activities, curricular activities, extracurricular activities, and career and technical education, without limitation or additional requirements imposed by the district that are not placed on students enrolled in the district.

SECTION 2. This act takes effect upon approval by the Governor.

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