

REFERENCE TITLE: **ESA students; interscholastic activities; requirements**

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1004

Introduced by
Senator Kavanagh

AN ACT

AMENDING TITLE 15, CHAPTER 8, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-802.02; RELATING TO INTERSCHOLASTIC ACTIVITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 8, article 1, Arizona Revised
3 Statutes, is amended by adding section 15-802.02, to read:

4 15-802.02. Interscholastic activities; ESA students; school
5 district of residence; eligibility; policies;
6 prohibition; definitions

7 A. NOTWITHSTANDING ANY OTHER LAW, AN ESA STUDENT MAY PARTICIPATE IN
8 OR TRY OUT FOR INTERSCHOLASTIC ACTIVITIES ON BEHALF OF THE ESA STUDENT'S
9 SCHOOL DISTRICT OF RESIDENCE IN THE SAME MANNER AS A STUDENT WHO IS
10 ENROLLED IN THE SCHOOL DISTRICT.

11 B. EXCEPT AS PROVIDED IN THIS SUBSECTION, EACH SCHOOL DISTRICT
12 SHALL ENSURE THAT THE POLICIES AND REQUIREMENTS RELATING TO REGISTRATION,
13 AGE ELIGIBILITY, FEES, INSURANCE, TRANSPORTATION, PHYSICAL CONDITION,
14 QUALIFICATIONS, RESPONSIBILITIES, EVENT SCHEDULES, STANDARDS OF BEHAVIOR
15 AND PERFORMANCE FOR AN ESA STUDENT WHO PARTICIPATES IN OR TRIES OUT FOR AN
16 INTERSCHOLASTIC ACTIVITY ARE CONSISTENT WITH THE POLICIES AND REQUIREMENTS
17 FOR STUDENTS WHO ARE ENROLLED IN THE SCHOOL DISTRICT.

18 C. A SCHOOL DISTRICT MAY NOT CHARGE A PARTICIPATION FEE FOR AN ESA
19 STUDENT TO PARTICIPATE IN AN INTERSCHOLASTIC ACTIVITY IN AN AMOUNT THAT
20 EXCEEDS THE ESA STUDENT'S PRO RATA SHARE OF THE ACTIVITY'S PROGRAM COSTS.
21 THIS SUBSECTION DOES NOT PREVENT A SCHOOL DISTRICT FROM REQUIRING AN ESA
22 STUDENT TO PAY FOR EXPENSES RELATED TO THE INTERSCHOLASTIC ACTIVITY IF THE
23 SCHOOL DISTRICT REQUIRES ALL PARTICIPATING STUDENTS, INCLUDING STUDENTS
24 WHO ARE ENROLLED IN THE SCHOOL DISTRICT, TO PAY FOR THOSE EXPENSES.

25 D. THE PARENT OF AN ESA STUDENT WHO PARTICIPATES IN OR TRIES OUT
26 FOR AN INTERSCHOLASTIC ACTIVITY PURSUANT TO THIS SECTION SHALL SUBMIT
27 WRITTEN VERIFICATION TO THE SCHOOL DISTRICT THAT THE ESA STUDENT IS BOTH:

28 1. RECEIVING A PASSING GRADE IN EACH COURSE OR SUBJECT THAT THE ESA
29 STUDENT IS BEING TAUGHT.

30 2. MAINTAINING SATISFACTORY PROGRESS TOWARD ADVANCEMENT OR
31 PROMOTION.

32 E. AN ESA STUDENT IS INELIGIBLE TO PARTICIPATE IN AN
33 INTERSCHOLASTIC ACTIVITY PURSUANT TO THIS SECTION IF ANY OF THE FOLLOWING
34 APPLIES:

35 1. THE ESA STUDENT WAS ENROLLED IN A SCHOOL DISTRICT OR CHARTER
36 SCHOOL DURING THE SCHOOL YEAR FOR WHICH THE ESA STUDENT TRIES OUT FOR OR
37 SEEKS TO PARTICIPATE IN THE INTERSCHOLASTIC ACTIVITY.

38 2. THE ESA STUDENT WAS ENROLLED IN TWO OR MORE PRIVATE SCHOOLS
39 DURING THE SCHOOL YEAR FOR WHICH THE ESA STUDENT TRIES OUT FOR OR SEEKS TO
40 PARTICIPATE IN THE INTERSCHOLASTIC ACTIVITY.

41 3. THE ESA STUDENT IS ENROLLED IN A PRIVATE SCHOOL THAT OFFERS THE
42 INTERSCHOLASTIC ACTIVITY.

43 F. A SCHOOL DISTRICT MAY NOT CONTRACT WITH ANY PRIVATE ENTITY THAT
44 SUPERVISES INTERSCHOLASTIC ACTIVITIES IF THE PRIVATE ENTITY PROHIBITS ESA

1 STUDENTS FROM PARTICIPATING IN INTERSCHOLASTIC ACTIVITIES AT SCHOOL
2 DISTRICTS, CHARTER SCHOOLS OR PRIVATE SCHOOLS.
3 G. FOR THE PURPOSES OF THIS SECTION:
4 1. "ESA STUDENT" MEANS A CHILD WHOSE PARENT HAS SIGNED AN AGREEMENT
5 PURSUANT TO SECTION 15-2402 TO EDUCATE THE CHILD OUTSIDE OF ANY SCHOOL
6 DISTRICT OR CHARTER SCHOOL.
7 2. "PRO RATA SHARE" MEANS AN AMOUNT THAT IS CALCULATED BY DIVIDING
8 THE TOTAL AMOUNT THAT A SCHOOL DISTRICT HAS BUDGETED FOR AN
9 INTERSCHOLASTIC ACTIVITY BY THE TOTAL NUMBER OF STUDENTS WHO ARE
10 PARTICIPATING IN THE INTERSCHOLASTIC ACTIVITY DURING THE BUDGET YEAR.