



GUIDANCE FOR SB 72

Allowing School Districts to Use Eligible Extracurricular Activities in Calculating ANB for Non-Enrolled or Partially Enrolled Students

1. Introduction

The 2021 Legislature passed [SB 72](#) amending allowing certain students who participate in extracurricular activities to be included as partial enrollment for ANB calculations. SB 72 amended [Mont. Code Ann. §20-9-311](#). The OPI is providing this guidance to ensure this law is implemented in a consistent and equitable manner.

This bill is related to [SB 157 \(2021\)](#) allowing students who are not enrolled in a public school to participate in extracurricular activities offered by the student resident district when meeting certain requirements. There are significant differences between SB 72 and SB 157.

SB 72 (ANB calculation)

- *Amends* [Mont. Code Ann, §20-9-311](#)
- *Permissive.* Schools may choose to add extracurricular activities to ANB or not
- *Limits* the types of activity that may be used to calculate ANB

SB 157 (Extracurricular Participation)

- *New* Section
- *Mandatory.* Schools must allow for participation in any extracurricular activity.
- Allows for participation in *all* extracurricular activities

SB 72 (2021) amends Mont. Code Ann. §20-9-311; however, it has not yet been codified. Montana Legislative Services is working on codifying all the bills passed by the 2021 Legislature. You may search for any bill introduced in the 2021 session [here](#).

2. School District Discretion

The decision to add to the ANB calculation for eligible students completing eligible extracurricular activities is completely a local school district's decision.

3. Effective Date

The effective Date is July 1, 2021.

4. Public School Applicability

SB 72 applies to all K-12 public schools.

5. Definitions

5.1 Extracurricular activity

“Extracurricular activity” is defined in the legislation and means:

- A sport or activity sanctioned by an organization having jurisdiction over inter-scholastic activities, contests, and tournaments. For example, high school basketball, speech and debate, or Science Olympiad.
- An approved career and technical student organization, pursuant to Mont. Code Ann. §20-7-306. For example, Future Farmers of America; or
- A school theater production.

5.2 Completed

This term “completed” is not defined in the legislation. School districts must use the same standard to determine whether a full-time enrolled student, part-time enrolled student, or non-enrolled student completed an extracurricular activity.

A student cannot be given partial credit for completing more than six weeks but less than the full duration of the extracurricular activity.

A student must meet and maintain eligibility for the specific requirements for the extracurricular activity. For example, the student must maintain academic eligibility, if required by the extracurricular activity.

It is within a school district’s discretion to determine whether to count an extracurricular activity as “completed” when a suspension prevented a student from participating in the full session so long as the student participated in the minimum weekly requirement.

Here are a few examples of when an activity may be completed or not:

Description	Completed
A student is participating in basketball and is injured and unable to play. The student continues to attend practices, games, and mandatory team meetings as required to participate as an injured team member, as required.	Yes

A student is participating in basketball becomes ill, is unable to participate, and withdraws from the team.	No
The student is participating in an extracurricular activity lasting nineteen weeks. The student stops participating at week twelve.	No

5.3 Resident School District

The legislation requires the student participate in the extracurricular activity within the student’s resident school district. However, the legislation does not provide any direction on whether the student must live within the geographic boundaries for a particular school within the school district.

For example, a school district has two schools. The student resides within the school district and within the geographic boundaries for School A. However, the student wants to participate in the extracurricular activity at School B.

It is the school district’s discretion as to what school within the district the student must participate. However, the school district in making this decision should be consistent and equitable. Some of the factors a school district may consider, include:

- The rules of any interscholastic organization of which the school is a member as directed in SB157(2021).
- Current school policy for enrolled students or other good reason as determined by the District Board of Trustees.

6. Eligible Extracurricular Activities

The extracurricular activities (see the definition above) from the current year may be added into the ANB calculation for the next year, when:

- The extracurricular activity was offered at a public school in the student’s resident school district.
- The student is either not enrolled or partially enrolled in the student’s resident school district.
- The student completes an extracurricular activity with a duration of at least 6 weeks.

However, a partially enrolled student who participates in eligible extracurricular activities, may be counted as partially enrolled and as participating in extracurricular activities, so long as the total enrollment does not surpass full time equivalency. If a student is partially enrolled and completes extracurricular activities, the school district must only calculate ANB using the credit for partial enrollment and in addition the additional extracurricular activity portions that increase the student’s enrollment to a point at which a full-time enrollment is met.

7. Calculation Rules

7.1 Calculation Rate

For each completed eligible extracurricular activity, a school district may:

- For a completed activity lasting at least six weeks but eighteen weeks or less, record a one-sixteenth enrollment during the separate year-end collection.
- For a completed activity lasting longer than eighteen weeks, add one-eighth enrollment during the separate year-end collection.

7.2 Year Collected Maximum Credit

For the year collected, the sum of partial enrollment and extracurricular activities cannot be greater than one full-time enrollment.

7.3 Reporting Requirements in AIM

School Districts will report non-enrolled or partially enrolled students' extracurricular activities in the school year they completed the extracurricular activities for the purposes of determining ANB. *See* [The OPI's website for AIM-Achievement in Montana](#).

7.4 Calculation

For each extracurricular activity completed and recorded by the school district, the OPI will:

- Verify the amount recorded by the school district to ensure no student is given credit for more than 1.0 full time equivalent for the year counted.
- Ensure qualified students participating in extracurricular activities are included in the October and February counts of the subsequent year.

See the OPI's website for helpful guides and resources on [Student Count ANB](#).

7.5 Calculation Timing

The first-time school districts may record eligible extracurricular activities is during the separate year-end collection in June 2022.

8. Audit

A school district's reporting of eligible extracurricular activities is included in the district financial audit. This audit will include accurate record keeping of:

- Resident school district
- Accurate description of extracurricular activity against eligibility standards

- The extracurricular activity was completed with notation of any special situation. For example, student injured and in accordance with team policy attended practice, games, and required team meetings.
- The number of weeks the extracurricular activity was held, and
- Other items.