

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas *As Engrossed: H3/20/13 H3/28/13 H4/3/13 H4/4/13 S4/16/13*

89th General Assembly

A Bill

Regular Session, 2013

HOUSE BILL 1789

By: Representatives Lowery, J. Edwards

By: Senators J. English, J. Hendren, *J. Key*

For An Act To Be Entitled

AN ACT TO ALLOW HOME-SCHOOLED STUDENTS TO PARTICIPATE
IN INTERSCHOLASTIC ACTIVITIES; AND FOR OTHER
PURPOSES.

Subtitle

TO ALLOW HOME-SCHOOLED STUDENTS TO
PARTICIPATE IN INTERSCHOLASTIC
ACTIVITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 6, Chapter 15, Subchapter 5, is amended to add an additional section to read as follows:

6-15-509. Participation of home-schooled students in interscholastic activities.

(a) The General Assembly recognizes that all students should have equal access to interscholastic activities as a complement to the academic curriculum.

(b) As used in this section:

(1) "Athletic activity" means a varsity sport or another competitive sports-related contest, game, event, or exhibition that involves an individual student or teams of students either among schools within the resident school district or between schools outside of the resident school district;

(2) "Home-schooled student" means a student legally enrolled in an Arkansas home school;



(3) "Interscholastic activity" means an activity between schools subject to regulations of the Arkansas Activities Association that is:

(A) Outside the regular curriculum of a school district, including without limitation an athletic activity, a fine arts program, or a special interest club or group; and

(B) Taught by an individual with a minimum of a high school diploma;

(4) "Parent" is a legal guardian or legal custodian;

(5) "Resident school" is the school to which the student would be assigned by the resident school district; and

(6) "Resident school district" means the school district in which the home-schooled student's parent resides as determined under § 6-18-202.

(c) A home-schooled student shall not participate in interscholastic activities at a public school other than the student's resident school.

(d) A resident school district may permit a home-schooled student to participate in an interscholastic activity if:

(1) For the purpose of subsection (g) of this section, the home-schooled student reports to the resident school district within the first eleven (11) days of the fall or spring semester of the resident school district; and

(2) The home-schooled student or his or her parent advises the principal of the resident school in writing of the student's request to participate in the interscholastic activity before the signup, tryout, or participation deadlines established for students enrolled in the resident school.

(e) The principal of the resident school shall permit a home-schooled student to pursue participation in an interscholastic activity of the resident school if the student or the student's parent:

(1) Before the signup, tryout, or participation deadlines established for students enrolled in the resident school, provides to the principal a notice of the student's desire to pursue participation; and

(2) Informs the principal in the notice that the student has demonstrated academic eligibility by obtaining:

(A) A minimum test score of the thirtieth percentile on

the Stanford Achievement Test Series, Tenth Edition, or another nationally recognized norm-referenced test in the previous twelve (12) months; or

(B) A minimum score on a test approved by the State Board of Education.

(f) If a home-schooled student's written request to participate in the interscholastic activity is approved under this section, the student:

(1) Although not guaranteed participation in an interscholastic activity, shall have an equal opportunity to try out and participate in interscholastic activities without discrimination; and

(2) Shall not participate unless he or she meets the criteria for participation in the interscholastic activity that apply to students enrolled in the resident school district, including:

(A) Tryout criteria;

(B) Standards of behavior and codes of conduct; and

(C) The academic criteria under subdivision (e)(2) of this section;

(D) Practice times;

(E) Required drug testing;

(F) Permission slips, waivers, and physical exams; and

(G) Participation or activity fees.

(g) A home-schooled student who participates in an interscholastic activity may be:

(1) Required to be at school not more than one (1) period per school day; and

(2) Transported by the resident school district to and from interscholastic activities as the resident school district transports other students who are enrolled in the resident school.

(h) A student who withdraws from an Arkansas Activities Association member school to be home-schooled shall not participate in an interscholastic activity in the resident school district for a minimum of three hundred sixty-five (365) days after the student withdraws from the member school.

/s/Lowery