

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1243

By: Representatives Lowery, Dotson

For An Act To Be Entitled

AN ACT TO PERMIT PRIVATE SCHOOL STUDENTS TO
PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES UNDER
CERTAIN CONDITIONS; AND FOR OTHER PURPOSES.

Subtitle

TO PERMIT PRIVATE SCHOOL STUDENTS TO
PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES
UNDER CERTAIN CONDITIONS.

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

SECTION 1. Arkansas Code § 6-15-509 is amended to read as follows:

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

(a) The General Assembly recognizes that all students, including private school students and home-schooled 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~~ means a legal guardian or legal custodian;

(5) "Private school student" means a student enrolled in a private school;

(6) "Resident school" means the school to which the private school or home-schooled student would be assigned by the resident school district; and

~~(6)~~(7) "Resident school district" means the school district in which the home-schooled student's parent resides as determined under § 6-18-202.

(c) A private school student or 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 private school student or home-schooled student to participate in an interscholastic activity if:

(1) For the purpose of subsection (g) of this section, the private school student or 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 private school student or 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 private school student or 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 private school student or 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;

(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 private school student or 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 enroll in a private school or 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.

(i) A private school student is not eligible to participate in an

interscholastic activity at the resident school as provided under this section if the private school where the student is enrolled offers the same interscholastic activity opportunity.