

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

2 89th General Assembly

# A Bill

3 Regular Session, 2013

HOUSE BILL 1789

4

5 By: Representatives Lowery, J. Edwards

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

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## For An Act To Be Entitled

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

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## Subtitle

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

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

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

24 6-15-509. Participation of home-schooled students in interscholastic  
25 activities.

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

29 (b) As used in this section:

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

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



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

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

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

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

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

12 (6) "Resident school district" means the school district in  
13 which the home-schooled student's parent resides as determined under § 6-18-  
14 202.

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (A) Tryout criteria;

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

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

17 (D) Practice times;

18 (E) Required drug testing;

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

20 (G) Participation or activity fees.

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

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

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

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

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33 /s/Lowery  
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