

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1789

5 By: Representative Lowery  
6 By: Senators J. English, J. Hendren  
7

## 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.  
12  
13

## Subtitle

15 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;



1  
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 the home-schooled student or  
19 his or her parent advises the principal of the resident school in writing of  
20 the student's request to participate in the interscholastic activity before  
21 the signup, tryout, or participation deadlines established for students  
22 enrolled in the resident school.

23 (e) The principal of the resident school shall approve or disapprove  
24 the written request within ten (10) days of receiving the written request and  
25 the information and documentation required by this section.

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

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

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

34 (A) Tryout criteria;

35 (B) Non-academic criteria, including without limitation  
36 standards of behavior and codes of conduct;

1                   (C) Academic and co-curricular criteria, including without  
 2 limitation demonstrating and maintaining academic eligibility by obtaining:

3                   (i) A minimum test score of the thirtieth percentile  
 4 on a nationally recognized norm-referenced test in the previous twelve (12)  
 5 months:

6                   (ii) A minimum score on a test approved by the State  
 7 Board of Education; or

8                   (iii) A minimum score on a test approved by the  
 9 Arkansas Activities Association;

10                   (D) Practice times;

11                   (E) Required drug testing;

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

13                   (G) Participation or activity fees.

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

16                   (1) Counted as an enrolled student by the resident school  
 17 district; and

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

21                   (h) A student who transfers to a home school from an Arkansas  
 22 Activities Association member school during a period that the student is  
 23 academically ineligible to participate in an interscholastic activity is not  
 24 eligible to participate in an interscholastic activity in a resident school  
 25 until the beginning of the following school year.