

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

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

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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;

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

5 (C) A minimum score on a test approved by the Arkansas
6 Activities Association.

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

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

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

15 (A) Tryout criteria;

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

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

19 (D) Practice times;

20 (E) Required drug testing;

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

22 (G) Participation or activity fees.

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

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

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

30 (h) A student who transfers to a home school from an Arkansas
31 Activities Association member school during a period that the student is
32 academically ineligible to participate in an interscholastic activity is not
33 eligible to participate in an interscholastic activity in a resident school
34 for three hundred sixty-five (365) days after the date the student became
35 ineligible to participate.

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/s/Lowery