HOUSE BILL NO. 53

AN ACT TO ESTABLISH A "NO PASS, NO PLAY" LAW FOR STUDENTS ENROLLED IN THE PUBLIC SCHOOLS; TO PROHIBIT STUDENTS FAILING TO MAINTAIN AN AVERAGE OF 70 OR HIGHER IN ACADEMIC CLASSES OTHER THAN HONORS CLASSES FROM PARTICIPATING IN EXTRACURRICULAR ACTIVITIES; TO PROVIDE THAT THE SUSPENSION FROM EXTRACURRICULAR ACTIVITIES MUST BE AT LEAST THREE WEEKS IN DURATION; TO REQUIRE THE SUSPENSION TO BE REMOVED IF, AFTER THREE WEEKS, A STUDENT ACHIEVES AN AVERAGE OF 70; TO AUTHORIZE STUDENTS UNDER SUSPENSION FROM EXTRACURRICULAR ACTIVITIES TO PRACTICE OR REHEARSE WITH OTHER STUDENTS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) A student who is enrolled in a school district in this state must be suspended from participation in any extracurricular activity sponsored or sanctioned by the school district after a grade evaluation period in which the student receives an average grade for that evaluation period lower than the equivalent of seventy (70) on a scale of one hundred (100) in any academic class other than an identified honors or advanced class. The suspension from participation in extracurricular activities must continue for at least three (3) school weeks and may not be removed during the school year until the conditions of subsection (2) of this section are met; however, a suspension may not last beyond the end of a school year. For purposes of this section, the term "grade evaluation period" means a grade reporting period of six (6) or nine (9) weeks, whichever is utilized by the school district in which the student is enrolled.

(2) Until the suspension from participation in extracurricular activities is removed under this subsection or the school year ends, a school district shall review the grades of a student under the suspension at the end of each three-week period following the date on which the suspension began. At the time of
this review, the suspension must be removed if the student's average grade for the three-week period in each class, other than an identified honors or advanced class, is equal to or greater than the equivalent of seventy (70) on a scale of one hundred (100). The principal and each of the student's teachers shall make the determination concerning the student's grades.

(3) Suspension from participation in extracurricular activities of an exceptional child with a disability that significantly interferes with the student's ability to meet regular academic standards must be based on the student's failure to meet the requirements of the student's individualized education program (IEP), as defined in Section 37-23-133. The determination of whether a disability significantly interferes with a student's ability to meet regular academic standards must be made by the local educational agency, as defined in the federal Individuals with Disabilities Education Act. For purposes of this subsection, the term "exceptional child" has the meaning ascribed in Section 37-23-3.

(4) A student suspended from participation in extracurricular activities under this section may practice or rehearse with other students for an extracurricular activity but may not participate in a competition or other public performance.

SECTION 2. This act shall take effect and be in force from and after July 1, 2001.