

By: Representative Chism

To: Education

HOUSE BILL NO. 53

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

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

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

27 (2) Until the suspension from participation in
 28 extracurricular activities is removed under this subsection or the
 29 school year ends, a school district shall review the grades of a
 30 student under the suspension at the end of each three-week period
 31 following the date on which the suspension began. At the time of



32 this review, the suspension must be removed if the student's
33 average grade for the three-week period in each class, other than
34 an identified honors or advanced class, is equal to or greater
35 than the equivalent of seventy (70) on a scale of one hundred
36 (100). The principal and each of the student's teachers shall
37 make the determination concerning the student's grades.

38 (3) Suspension from participation in extracurricular
39 activities of an exceptional child with a disability that
40 significantly interferes with the student's ability to meet
41 regular academic standards must be based on the student's failure
42 to meet the requirements of the student's individualized education
43 program (IEP), as defined in Section 37-23-133. The determination
44 of whether a disability significantly interferes with a student's
45 ability to meet regular academic standards must be made by the
46 local educational agency, as defined in the federal Individuals
47 with Disabilities Education Act. For purposes of this subsection,
48 the term "exceptional child" has the meaning ascribed in Section
49 37-23-3.

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

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

