

By: Representative Formby

To: Education

HOUSE BILL NO. 439

1 AN ACT TO AUTHORIZE HOME SCHOOLED STUDENTS TO PARTICIPATE IN
2 EXTRACURRICULAR ACTIVITIES IN THEIR RESPECTIVE SCHOOL DISTRICTS;
3 TO REQUIRE THOSE STUDENTS TO ADHERE TO THE SAME RULES AND
4 REGULATIONS GOVERNING THE PARTICIPATION IN EXTRACURRICULAR
5 ACTIVITIES BY STUDENTS IN THE LOCAL SCHOOL DISTRICT; TO PROHIBIT A
6 LOCAL SCHOOL BOARD FROM IMPOSING ANY REQUIREMENT UPON A HOME
7 SCHOOLED STUDENT FOR PARTICIPATION IN AN EXTRACURRICULAR ACTIVITY
8 WHICH IS NOT IMPOSED UPON FULL-TIME STUDENTS OF THE LOCAL PUBLIC
9 SCHOOL DISTRICT; TO AUTHORIZE THE STATE BOARD OF EDUCATION TO
10 PROMULGATE RULES AND REGULATIONS GOVERNING POLICIES IMPLEMENTED BY
11 LOCAL SCHOOL BOARDS PERMITTING THE PARTICIPATION OF HOME SCHOOLED
12 STUDENTS IN EXTRACURRICULAR ACTIVITIES; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** (1) A student who is being educated in a
15 legitimate home instruction program, as defined under the
16 Mississippi Compulsory School Attendance Law (Section 37-13-91),
17 may participate in any extracurricular activities available to
18 students in the home schooled student's grade in the local school
19 of the school district where that student resides. Upon the
20 request of the home schooled student's parent, guardian or legal
21 custodian, the local school board shall register the student in a
22 public school for purposes of participating in an extracurricular
23 activity or activities. The home schooled student must reside
24 within the attendance boundaries of the school in which the
25 student is seeking registration and must submit the request for
26 registration before the deadline established by the local district
27 for participation in the extracurricular activity in the following
28 school year. As used in this section, the term "extracurricular"
29 means any school-authorized or education-related activity
30 occurring during or outside the regular instructional school day



31 including, but not limited to, academic teams, athletics, art,
32 band, choir, honor societies, music and theatre.

33 (2) A home schooled student participating in any
34 extracurricular activity and his or her parents must adhere to the
35 same rules and regulations adopted by the local school board
36 governing participation in that activity by students in the local
37 school. Each local school board shall adopt a policy governing
38 home schooled student participation in extracurricular activities,
39 which policy must conform to any rules and regulations adopted by
40 the State Board of Education under subsection (3) of this section.
41 However, a local school board may not impose any requirements on a
42 home schooled student auditioning for or participating in
43 extracurricular activities which are not imposed on full-time
44 students of the local public school district. When selection to
45 participate in an extracurricular activity at a local public
46 school is made on a competitive basis, a home schooled student is
47 eligible to try out for and participate in the activity as
48 authorized under this section.

49 (3) The State Board of Education may promulgate any rules
50 and regulations as it may deem necessary to promote consistency of
51 policies implemented by local school boards throughout the state
52 permitting home schooled students to participate in
53 extracurricular activities as provided under subsections (1) and
54 (2) of this section.

55 (4) This section may not be construed to require any home
56 schooled student to register with a school district for
57 extracurricular activity purposes.

58 **SECTION 2.** This act shall take effect and be in force from
59 and after July 1, 2011.

