

By: Representative Mims (By Request)

To: Education;
Appropriations

HOUSE BILL NO. 1056

1 AN ACT TO REQUIRE SCHOOL DISTRICTS TO ENROLL LOCAL HOME
2 SCHOOLED STUDENTS ON A PART-TIME BASIS FOR EXTRACURRICULAR
3 ACTIVITY PURPOSES; TO REQUIRE HOME SCHOOLED STUDENTS TO ADHERE TO
4 THE SAME RULES AND REGULATIONS GOVERNING EXTRACURRICULAR
5 ACTIVITIES WHICH ARE APPLICABLE TO FULL-TIME STUDENTS IN THE
6 SCHOOL DISTRICT; TO PROHIBIT A LOCAL SCHOOL BOARD FROM IMPOSING
7 ANY REQUIREMENT UPON A HOME SCHOOLED STUDENT FOR PARTICIPATION IN
8 AN EXTRACURRICULAR ACTIVITY WHICH IS NOT IMPOSED UPON FULL-TIME
9 STUDENTS; TO AUTHORIZE THE STATE BOARD OF EDUCATION TO PROMULGATE
10 RULES AND REGULATIONS GOVERNING POLICIES IMPLEMENTED BY LOCAL
11 SCHOOL BOARDS RELATING TO THE PARTICIPATION OF HOME SCHOOLED
12 STUDENTS IN EXTRACURRICULAR ACTIVITIES; TO REQUIRE HOME SCHOOLED
13 STUDENTS ENROLLED IN A LOCAL SCHOOL DISTRICT ON A PART-TIME BASIS
14 FOR EXTRACURRICULAR ACTIVITY PURPOSES TO BE INCLUDED IN THE SCHOOL
15 DISTRICT'S AVERAGE DAILY ATTENDANCE UNDER THE ADEQUATE EDUCATION
16 PROGRAM; TO SUSPEND THE AUTHORITY OF SCHOOL DISTRICTS TO ENROLL
17 HOME SCHOOLED STUDENTS FOR EXTRACURRICULAR PURPOSES IN THOSE YEARS
18 IN WHICH STATE FUNDING IS NOT APPROPRIATED FOR EXPENSES ASSOCIATED
19 WITH THE HOME SCHOOLED STUDENTS' PART-TIME ENROLLMENT; AND FOR
20 RELATED PURPOSES.

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

22 **SECTION 1.** (1) As used in this section, the term "home
23 schooled student" means a child who is being educated by private
24 teachers, parents, guardians or custodians in a legitimate home
25 instruction program, as defined under the Mississippi Compulsory
26 School Attendance Law (Section 37-13-91).

27 (2) Except as otherwise provided in subsection (7), a home
28 schooled student may participate in any extracurricular activities
29 available to students in the home schooled student's grade in the
30 local school of the school district where that student resides.
31 Upon the request of the home schooled student's parent, guardian
32 or legal custodian, the local school board shall enroll the
33 student on a part-time basis in a public school for purposes of
34 participating in an extracurricular activity or activities



35 available to students in the home schooled student's grade in that
36 school. The request for part-time enrollment of a home schooled
37 student for the purpose of participating in extracurricular
38 activities must be submitted to the school district before the
39 deadline established by the school board for receiving such
40 requests, which deadline must be before the end of the school year
41 next preceding the school year in which the home schooled student
42 seeks to participate in extracurricular activities. As used in
43 this section, the term "extracurricular" means any
44 school-authorized or education-related activity occurring during
45 or outside the regular instructional school day including, but not
46 limited to, academic teams, athletics, art, band, choir, honor
47 societies, music and theatre.

48 (3) A home schooled student must reside within the
49 attendance boundaries of the school in which the student is
50 seeking enrollment for purposes of participating in an
51 extracurricular activity or activities.

52 (4) A home schooled student participating in an
53 extracurricular activity and his or her parents must adhere to the
54 same rules and regulations adopted by the local school board
55 governing participation in that activity by students in the local
56 school. Each local school board shall adopt a policy governing
57 home schooled student participation in extracurricular activities,
58 which policy must conform to those rules and regulations adopted
59 by the State Board of Education under subsection (5) of this
60 section. However, a local school board may not impose any
61 requirements on a home schooled student auditioning for or
62 participating in extracurricular activities which are not imposed
63 on full-time students of the local public school district. When
64 selection to participate in an extracurricular activity at a local
65 public school is made on a competitive basis, a home schooled
66 student is eligible to try out for and participate in the activity



67 under the same terms and conditions that are applicable to
68 students enrolled in that school.

69 (5) The State Board of Education shall promulgate such rules
70 and regulations as deemed necessary to promote consistency of
71 policies implemented by local school boards throughout the state
72 governing participation by home schooled students in
73 extracurricular activities as authorized under this section.

74 (6) This section may not be construed to require any home
75 schooled student to enroll in a school district for
76 extracurricular activity purposes.

77 (7) A home schooled student enrolled in a public school on a
78 part-time basis must be included in the local school district's
79 average daily attendance for purposes of determining the school
80 district's annual allotment of funds under the Mississippi
81 Adequate Education Program. In any year in which the Legislature
82 does not appropriate sufficient funding for the expenses
83 associated with the part-time enrollment of home schooled students
84 for extracurricular activity purposes, the authority granted in
85 this section shall be suspended, and a local school district may
86 not enroll any home schooled student on a part-time basis during
87 the applicable school year.

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

