

By: Senator(s) Watson

To: Education

SENATE BILL NO. 2402

1 AN ACT ENTITLED THE "HOMESCHOOL STUDENTS EQUAL ACCESS ACT";  
 2 TO PROVIDE DEFINITIONS; TO AUTHORIZE AND DIRECT LOCAL SCHOOL  
 3 BOARDS TO REGISTER A HOMESCHOOL STUDENT RESIDING IN THE SCHOOL  
 4 DISTRICT FOR PARTICIPATION IN ANY EXTRACURRICULAR ACTIVITIES  
 5 AVAILABLE TO STUDENTS IN THE HOMESCHOOL STUDENT'S GRADE; TO  
 6 PROVIDE CERTAIN CONDITIONS FOR PARTICIPATION BY THE HOMESCHOOL  
 7 STUDENT; TO PROVIDE FOR INSURANCE COVERAGE FOR SUCH  
 8 EXTRACURRICULAR ACTIVITIES; TO PROVIDE THAT SCHOOLS UTILIZING SUCH  
 9 HOMESCHOOL STUDENTS MAY NOT BE IMPEDED FROM COMPETING AGAINST  
 10 OTHER SCHOOLS; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** (1) This act shall be known and may be cited as  
 13 the "Homeschool Students Equal Access Act."

14 (2) As used in this section:

15 (a) "Extracurricular activities" includes all athletic  
 16 programs of the school for individuals and team sports, and any  
 17 school-authorized or education-related activity occurring during  
 18 or outside the regular instructional school day, including, but  
 19 not limited to, academic teams, athletics, art, band, choir, honor  
 20 societies, music, theatre and ROTC.

21 (b) "Homeschool students" are those children taught by  
 22 private teachers, parents, guardians or custodians in a legitimate



23 home instruction program as defined in the Mississippi Compulsory  
24 School Attendance Law, Section 37-13-91, Mississippi Code of 1972.

25 (3) If a parent, guardian or legal custodian of a homeschool  
26 student submits a request, the local school board shall be  
27 authorized and required to register the student in a public school  
28 for participation on the same basis as public school students in  
29 any extracurricular activities available to students in the  
30 homeschool student's grade. A homeschool student applying for  
31 extracurricular activities must reside within the attendance  
32 boundaries of the school in which the student is seeking  
33 enrollment. Request for extracurricular activities in the  
34 following school year must be submitted by the parent, guardian or  
35 legal custodian before May 1. Participation is conditioned on all  
36 of the following:

37 (a) The student shall participate in the  
38 extracurricular activities as a representative of the school.

39 (b) The student shall pay any participation or activity  
40 fee in an amount equal to the fee charged to a public school  
41 participant.

42 (c) The student shall adhere to the same standards of  
43 behavior, responsibility, performance, and code of conduct as  
44 other participants of the team or activity. If the student is  
45 convicted of, or is found to have committed, a felony or a  
46 delinquent act which would have been a felony if committed by an  
47 adult, regardless of whether adjudication is withheld, the



48 participation of the student in interscholastic extracurricular  
49 activities is contingent upon established and published district  
50 school board policy.

51 (d) The student shall adhere to the same academic  
52 standards as other participants of the team or activity, with  
53 those standards confirmed by appropriate documentation provided by  
54 the homeschool to the public school providing the activity in  
55 which the student is to participate. Such students shall be able  
56 to participate in curricular activities if that is a requirement  
57 of the extracurricular activity, including, but not limited to,  
58 weight training.

59 (e) The student shall satisfy the same residency  
60 requirements as other students in the school at which the student  
61 participates.

62 (4) A student of a public school or nonpublic school who has  
63 been unable to maintain academic eligibility for participation in  
64 extracurricular activities is ineligible to participate in such  
65 activities as a student who is instructed as a homeschool student  
66 until the student has successfully satisfied standards to regain  
67 eligibility that are equivalent to those imposed on other students  
68 at the same grade level.

69 (5) A homeschool student who transfers to a public school  
70 before or during the first grading period of the school year is  
71 academically eligible to participate in extracurricular activities



72 during the first grading period provided the student has a  
73 successful evaluation from the previous year.

74 (6) Any insurance provided by a local school board for  
75 participants in extracurricular activities shall cover a  
76 participating homeschool student. If there is an additional  
77 premium for such coverage, such participating student shall pay  
78 the additional premium.

79 (7) (a) No public school athletic team or group shall be  
80 impeded from competing against any other public or nonpublic  
81 school team or group because the team or group utilizes homeschool  
82 students as pursuant to this section.

83 (b) A public school is prohibited from membership in  
84 any organization or entity which regulates or governs  
85 interscholastic extracurricular activities and discriminates  
86 against eligible homeschool students.

87 **SECTION 2.** This act shall take effect and be in force from  
88 and after July 1, 2013.

