

By: Senator(s) Watson

To: Education

SENATE BILL NO. 2173

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 ENROLLING 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 individual 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. Provided that no homeschool student shall be
59 required to participate or meet the standards of any academic
60 coursework implemented by the Common Core Standards Initiative.

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

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

71 (5) A homeschool student who transfers to a public school
72 before or during the first grading period of the school year is



73 academically eligible to participate in extracurricular activities
74 during the first grading period provided the student has a
75 successful evaluation from the previous year.

76 (6) Any insurance provided by a local school board for
77 participants in extracurricular activities shall cover a
78 participating homeschool student.

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 includes homeschool
82 students as provided in 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, 2017.

