

By: Representatives Brown (20th), Hopkins,
Williamson

To: Education

HOUSE BILL NO. 748

1 AN ACT TO BE KNOWN AS THE "TIM TEBOW ACT"; TO DEFINE CERTAIN
 2 TERMS; TO AUTHORIZE STUDENTS ENROLLED IN A HOMESCHOOL TO
 3 PARTICIPATE IN PUBLIC SCHOOL INTERSCHOLASTIC EXTRACURRICULAR
 4 ACTIVITIES; TO PRESCRIBE THE REQUIREMENTS FOR A STUDENT ENROLLED
 5 IN A HOMESCHOOL TO PARTICIPATE IN INTERSCHOLASTIC EXTRACURRICULAR
 6 ACTIVITIES; TO PROHIBIT DISCRIMINATION AGAINST HOMESCHOOL STUDENT
 7 SELECTION OR PARTICIPATION IN SUCH ACTIVITIES; TO PROVIDE THAT
 8 PARTICIPATION IN AN EXTRACURRICULAR ACTIVITY IS A PRIVILEGE AND
 9 NOT A RIGHT; TO AUTHORIZE SCHOOL DISTRICTS TO APPLY TO THE STATE
 10 DEPARTMENT OF EDUCATION FOR ADDITIONAL FUNDING TO COVER THE COST
 11 OF HOMESCHOOL STUDENTS PARTICIPATING IN EXTRACURRICULAR
 12 ACTIVITIES; TO REQUIRE HOMESCHOOL STUDENTS TO PAY THE SAME
 13 PARTICIPATION OR ACTIVITY FEES AS PUBLIC SCHOOL STUDENTS; TO
 14 CREATE THE HOMESCHOOL EXTRACURRICULAR ACTIVITY FUND WITHIN THE
 15 STATE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING FUNDS
 16 TO SCHOOL DISTRICTS FOR HOMESCHOOL STUDENTS PARTICIPATING IN
 17 EXTRACURRICULAR ACTIVITIES; AND FOR RELATED PURPOSES.

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

19 **SECTION 1.** (1) This section shall be known and may be cited
 20 as the "Tim Tebow Act."

21 (2) As used in this section, the following words and phrases
 22 have the meanings ascribed in this subsection unless the context
 23 clearly indicates otherwise:

24 (a) "Homeschool" means a legitimate home instruction
 25 program as described under Section 37-13-91(3).



26 (b) "Interscholastic extracurricular activity" means
27 any school-authorized sport or activity sanctioned by the
28 Mississippi High School Activities Association.

29 (c) "Appropriate documentation" means:

30 (i) The results of a nationally recognized
31 standardized test or its equivalent as determined by the State
32 Department of Education;

33 (ii) A portfolio of the student's school work from
34 the previous year demonstrating the student's proficiency
35 appropriate for the student's grade level, as determined in the
36 discretion of the school principal or counselor; or

37 (iii) If the student was enrolled in a public,
38 private, parochial or charter school during the preceding school
39 year, records evidencing the student's eligibility based on the
40 student's academic success at that school.

41 (3) (a) A student enrolled in a homeschool is eligible to
42 participate in interscholastic extracurricular activities
43 sponsored or engaged in by the public school to which the student
44 would be assigned according to the attendance policies adopted by
45 the school board of the local school district. A homeschool
46 student who leaves a public school during the school year is
47 subject to the transfer protocols that apply to transfers from one
48 (1) public school to another public school. A student who is
49 eligible under this section and selected to participate in an
50 extracurricular activity must:



51 (i) Pay any participation or activity fee in an
52 amount equal to the fee charged to public school students;

53 (ii) Adhere to the same standards of behavior,
54 responsibility, performance and code of conduct as other
55 participants in the extracurricular activity;

56 (iii) Adhere to the same academic standards as
57 other participants, with those standards confirmed by appropriate
58 documentation provided by the student to the public school
59 providing the extracurricular activity in which the student
60 participates. A parent or other person acting in place of a
61 parent to a homeschool student participating in the
62 extracurricular activity periodically must provide, in accordance
63 with the school's grading calendar, verification to the school
64 indicating that the student is receiving a passing grade in each
65 course or subject being taught;

66 (iv) Register with the school the student's intent
67 to participate in the extracurricular activity as a representative
68 of the school before the beginning date of the semester during
69 which the extracurricular activity in which the student wishes to
70 participate is offered; and

71 (v) Comply with the same physical examination,
72 immunization, insurance, age and semester eligibility requirements
73 as other students participating in the extracurricular activity.

74 (b) Transportation of a student being educated in a
75 homeschool to a public school to participate in interscholastic



76 extracurricular activities is the responsibility of the parent,
77 guardian or student. The student may use the same transportation
78 as other students so long as additional expenses are not incurred
79 by the school district.

80 (c) In selecting the members of an interscholastic
81 extracurricular team, a public school may not discriminate against
82 a student being educated in a homeschool who is eligible to
83 participate in an interscholastic extracurricular activity under
84 this section.

85 (4) Participation in an interscholastic extracurricular
86 activity is a privilege and not a right. This act may not be
87 interpreted to create a cause of action on behalf of a student
88 against a public school or public school district official or
89 against an interscholastic extracurricular activities association.

90 (5) With respect to a homeschool student's education
91 program, this section may not be construed to permit an agency of
92 the state, a public school district or any other governmental body
93 to exercise control, regulatory authority or supervision over a
94 homeschool student or parent or person acting in place of a parent
95 to a homeschool student beyond that which is required to
96 participate in league activity.

97 (6) (a) A school district may apply to the State Department
98 of Education for additional funding to cover the cost of any
99 homeschool students participating in extracurricular activities.



100 (b) An application for funds must be made to the
101 department before a date established as the deadline by the
102 department.

103 (c) The application must include the number of
104 homeschool students participating in extracurricular activities in
105 the prior school year, the activities in which the homeschool
106 students participated, and such other information that is required
107 by the department.

108 (7) (a) There is established a special fund within the
109 State Department of Education to be known as the "Homeschool
110 Extracurricular Activity Fund." A school district may apply for
111 and receive funds under this subsection in the amount of Two
112 Thousand Two Hundred Fifty Dollars (\$2,250.00) for each homeschool
113 student who participated in extracurricular activities in the
114 prior school year. The State Department of Education shall make
115 distributions from the Homeschool Extracurricular Activity Fund.
116 If at any time the fund is exhausted, disbursements must be made
117 by the department from any other available funds that may be used,
118 in the determination of the department, for such purposes.

119 (b) This subsection may not be construed to require a
120 school district to request funding.

121 (c) The State Department of Education shall report
122 disbursements made pursuant to this subsection to the Office of
123 the State Auditor, on a form created by the Office of the State
124 Auditor, on July 1, 2024, and every two (2) years thereafter.



125 **SECTION 2.** This act shall take effect and be in force from
126 and after July 1, 2023.

