

By: Representative Eubanks

To: Education

HOUSE BILL NO. 767

1 AN ACT TO AUTHORIZE HOMESCHOOLED STUDENTS TO RECEIVE CERTAIN
 2 OUTPATIENT THERAPY SERVICES IN THEIR RESPECTIVE SCHOOL DISTRICTS;
 3 TO REQUIRE THOSE STUDENTS TO BE SUBJECT TO THE SAME ELIGIBILITY
 4 REQUIREMENTS AND RULES AND REGULATIONS GOVERNING PARTICIPATION IN
 5 THERAPY SERVICES BY STUDENTS IN THE LOCAL SCHOOL DISTRICT; TO
 6 PROHIBIT A SCHOOL BOARD FROM IMPOSING ANY REQUIREMENT UPON A
 7 HOMESCHOOLED STUDENT SEEKING THERAPY SERVICES WHICH IS NOT IMPOSED
 8 UPON FULL-TIME STUDENTS OF THE LOCAL SCHOOL DISTRICT; TO AUTHORIZE
 9 THE STATE BOARD OF EDUCATION TO PROMULGATE RULES AND REGULATIONS
 10 RELATING TO POLICIES IMPLEMENTED BY LOCAL SCHOOL BOARDS GOVERNING
 11 THE DELIVERY OF OUTPATIENT THERAPY SERVICES TO HOMESCHOOLED
 12 STUDENTS; 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 outpatient therapy services that are made
 18 available to students in the school district where the
 19 homeschooled student resides. Upon the request of the parent,
 20 guardian or legal custodian of a homeschooled student for whom
 21 medically necessary outpatient therapy services have been ordered
 22 by a licensed medical professional, the school board shall require
 23 the local school that includes the grade level of the homeschooled



24 student to make appropriate arrangements for the delivery of the
25 therapy services to the student at that school. The homeschooled
26 student must reside within the attendance boundaries of the school
27 at which the student is seeking therapy services; however, if the
28 local school that includes the grade level of the homeschooled
29 student does not provide the medically necessary therapy services,
30 the school board must allow the student to receive the therapy
31 services at any school within the district which offers the
32 therapy services sought by the homeschooled student. As used in
33 this section, the term "therapy services" includes speech-language
34 pathology and audiology services, physical therapy and
35 occupational therapy.

36 (2) A homeschooled student receiving therapy services in a
37 public school and the student's parents must adhere to the same
38 rules and regulations adopted by the local school board governing
39 participation in that therapy by students enrolled in the school.
40 Each local school board shall adopt a policy governing
41 homeschooled student participation in outpatient therapy services,
42 which policy must conform to any rules and regulations adopted by
43 the State Board of Education under subsection (3) of this section.
44 A school board may not impose any requirements on a homeschooled
45 student relating to the student receiving therapy services which
46 are not imposed on full-time students of the local school
47 district.



48 (3) The State Board of Education may promulgate any rules
49 and regulations the board deems necessary to promote consistency
50 of policies implemented by local school boards throughout the
51 state permitting homeschooled students to receive outpatient
52 therapy services as provided under subsections (1) and (2) of this
53 section.

54 (4) This section may not be construed to require any
55 homeschooled student to enroll in a school district for the
56 purpose of receiving outpatient therapy services.

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

