

## **STATES THAT ALLOW ACCESS TO ATHLETICS/ACTIVITIES ASSOCIATIONS (IN ALPHABETICAL ORDER)**

### **#1**

#### **ALASKA:**

##### **From the Alaska Schools Activities Association Handbook:**

To be eligible during a school semester for participation in interscholastic activities, a student must:

1. be properly registered in a 9-12 or 10-12 high school program or any combination thereof, in the member school where the student will participate or where authorized by a member district, be enrolled in the member district's non-member charter school, alternative school or program (including district correspondence), when such district is paying the student surcharge for that student.
- c. In addition, all students must maintain at least an overall GPA during the current semester to remain eligible.

### **#2**

#### **ARIZONA: (Legislation passed)**

##### **From the Arizona Interscholastic Association Handbook:**

In 1995 the Arizona Legislature passed ARS §15-802.01, providing that home school students shall be allowed to try out for interscholastic activities on behalf of a school in the attendance zone where the student lives. This law specifically prohibits a school district from being a member of an association that does not comply with this provision. In order to comply with this statute, AIA member schools adopted an exception to the general enrollment rule that provides that a student is considered to have met the enrollment rule if the student meets the requirements of the statute. In an effort to deter the use of this statute as a way to simply avoid the enrollment rule, the statute does provide that a home school student who was previously enrolled in school is ineligible to participate for the remainder of the school year during which the child was enrolled in school.

##### ***Arizona Revised Statutes § 15-802.01***

Children instructed at home; eligibility to participate in interscholastic activities

A. Notwithstanding any other law, a child who resides within the attendance area of a public school and who is instructed at home shall be allowed to try out for interscholastic activities on behalf of the public school in the same manner as a pupil who is enrolled in that public school. Registration, age eligibility requirements, fees, insurance, transportation, physical condition, qualifications, responsibilities, event schedules, standards of behavior and performance policies for home schooled students shall be consistent with those policies established for students enrolled in that public school. The individual providing the primary instruction of a child who is instructed at home shall submit written verification that provides:

1. Whether the student is receiving a passing grade in each course or subject being taught.
2. Whether the student is maintaining satisfactory progress towards advancement or promotion.

B. A child who is instructed at home and who was previously enrolled in a school shall be ineligible to participate in interscholastic activities for the remainder of the school year

during which the child was enrolled in a school.

C. A school district shall not contract with any private entity that supervises interscholastic activities if the private entity prohibits the participation of children instructed at home in interscholastic activities at public, private or charter schools.

### #3

#### **CALIFORNIA:**

##### **From the California Interscholastic Federation Handbook:**

305. INDEPENDENT STUDY PROGRAMS/SCHOOLS CIF defines independent/home study programs under the jurisdiction of a CIF-member school or school district as those independent/home study programs approved, administered and evaluated by that school/school district's governing body. A student enrolled in an Independent Study Program is eligible at the public school in whose attendance area his/her parents, legal guardians or caregivers reside, or where the student most recently established his/her residential eligibility provided that: (Revised May 2006 Federated Council) A. A student's registration is accepted by the local school board; AND B. The courses taken by the student meet the standards adopted by the local school board and Education Code Section 51745 et seq.; AND C. The administrative responsibility for the student involved in athletics would rest with the principal of the school for which the student is competing; AND D. The student meets all other eligibility requirements of the CIF and its member sections; AND (Approved May 1999 Federated Council) E. For the purposes of determining dues, legal and liability assessments, realignment issues and State CIF and Section divisional placement, the enrollment figures for non-CIF member school/program students residing in the CIF member school's attendance area must be included in the CIF member school's CBEDS enrollment figures. (Approved May 2003 Federated Council)

### #4

#### **COLORADO: (Legislation passed)**

##### **From the Colorado High School Activities Association Handbook:**

(a) The student is a bona fide undergraduate member of a high school. EXCEPTION 1: Home based and other students which meet statutory requirements shall be eligible. Statutory requirements state that a student in a home based education program must be registered with the school district of participation a minimum of 14 days prior to being considered a home schooled student. Students who do not meet statutory requirements shall be considered ineligible for interscholastic competition, but may practice (provided he/she is registered with the school district). EXCEPTION 2: A student who registers at the beginning of the school year in a nonpublic home-based educational program may participate in the activities program at a public or private school. In the case of a private school, the student must be accepted for inclusion in the school program by the school and meet any criteria set by that private school.

Q2: Can an expelled student immediately regain eligibility by becoming a home school student? A2: No. A home school student is ineligible for at least the period of expulsion.

##### ***Colorado Revised Statutes § 22-33-104.5***

Home-based education - legislative declaration - definitions - guidelines

(6) (a) If a child is participating in a nonpublic home-based educational program but also

attending a public school for a portion of the school day, the school district of the public school shall be entitled to count such child in accordance with the provisions of section 22-54-103 (10) for purposes of determining pupil enrollment under the "Public School Finance Act of 1994", article 54 of this title.

(b) (I) For purposes of this subsection (6), a child who is participating in a nonpublic home-based educational program shall have the same rights as a student enrolled in a public or private school to participate on an equal basis in any extracurricular or interscholastic activity offered by a public school or offered by a private school, at the private school's discretion, as provided in section 22-32-116.5 and is subject to the same rules of any interscholastic organization or association of which the student's school of participation is a member.

(II) (A) Except as provided for in sub-subparagraph (B) of this subparagraph (II), for purposes of section 22-32-116.5, the school district of attendance for a child who is participating in a nonpublic home-based educational program shall be deemed to be the school district that received the notification pursuant to paragraph (e) of subsection (3) of this section.

(B) For purposes of section 22-32-116.5, the school district of attendance for a child who withdraws from a public or private school more than fifteen days after the start of the school year and enters a non-public home-based educational program shall be the school district or private school from which the child withdrew for the remainder of that school year. If, during the remainder of that academic year, the child chooses to participate in extracurricular or interscholastic activities at the same school and was eligible for participation prior to withdrawing from the school, the child remains eligible to participate at such school.

(c) No child participating in an extracurricular or interscholastic activity pursuant to paragraph (b) of this subsection (6) shall be considered attending the public school district where the child participates in such activity for purposes of determining pupil enrollment under paragraph (a) of this subsection (6).

(d) As used in this subsection (6), "extracurricular or interscholastic activities" shall have the same meaning as "activity" as set forth in section 22-32-116.5 (10). (e) If any fee is collected pursuant to this subsection (6) for participation in an activity, the fee shall be used to fund the particular activity for which it is charged and shall not be expended for any other purpose.

## #5

### **FLORIDA: (Legislation passed)**

#### **From the Florida High School Athletic Association Handbook:**

C. Home Education Programs 1. Home Education Student Participation in Athletics at Member Schools: (a) A student enrolled in a home education program is eligible to participate at the public school to which the student would be assigned according to district school attendance area policies; the public school to which the student could choose to attend pursuant to district or interdistrict controlled open enrollment provisions; or a nonpublic school, provided the nonpublic school will permit the student to participate at that school, provided: (1) the student, within 30 days of his/her withdrawal from a traditional school program, properly registers with the district school board as

being enrolled in a home education program in accordance with Section 1002.41(1)(a) of the Florida Statutes; (2) the student's parents at the conclusion of each semester certify to the principal of the school on a form to be provided by the FHSAA Office that the student meets the minimum grade point average standards which are required of all students; (3) the student meets the same standards of acceptance, behavior and performance as required of other students in extracurricular activities; (4) the student registers with the school his/her intent to participate in interscholastic athletic competition as a representative of the school prior to the beginning date of the season for the sport in which he/she wishes to participate; (5) the student complies with FHSAA regulations, including eligibility requirements regarding age and limits of eligibility, and local school regulations during the time of participation; (6) the student meets the same admission and residency requirements as other students in the school in which he/she participates; (7) the student provides proof of basic medical insurance coverage and both independently secured catastrophic insurance coverage and liability insurance coverage which names the FHSAA as an insured party in the event the school's insurance provider does not extend coverage to students enrolled in home education programs; and (8) the student provides to school authorities all required forms and provisions. (b) A student who withdraws from a regular school program, which for the purpose of this policy is defined as a member school other than a cooperative of home education programs, to enroll in a home education program and who is ineligible at the time of withdrawal from the regular school program due to his/her failure to meet academic or behavioral eligibility standards shall be ineligible to compete in interscholastic athletic competition as a home education student until he/she has successfully completed one semester in home education. In determining the academic eligibility of a student who withdraws from a regular school program prior to the normal conclusion of the current semester and subsequently enrolls in a home education program, the grades as posted in each subject for that student on the date of his/her withdrawal from the regular school program shall be used.

2. Home Education Student Eligibility Upon Enrollment in Member School: (a) A student who transfers from a home education program to a member school prior to or during the first semester of the school year shall be academically eligible to participate in interscholastic athletic competition during the first semester provided the student has the necessary 2.0 cumulative grade point average through the second semester of the previous school year as required by Florida Statutes. The student's academic eligibility for each succeeding semester shall then depend on his/her cumulative grade point average through the conclusion of the the previous semester. 3. Home Education Program

Cooperatives: (a) A cooperative of home education programs may become a member of this Association provided: (1) the cooperative establishes a Board of Directors or governing body which appoints a designated representative to the FHSAA so far as the obligations of the cooperative to this Association are concerned; (2) the cooperative pays membership dues and other such fees as established by the FHSAA Board of Directors under the authority of these Bylaws; (3) each participating student has basic medical insurance coverage and has catastrophic insurance coverage provided by the cooperative or independently secured; (4) the cooperative purchases and maintains liability insurance coverage which names the FHSAA as an insured party; (5) the FHSAA representative at the conclusion of each semester certifies to the Commissioner on a form to be provided

by the FHSAA Office that each student participating in interscholastic extracurricular activities in the cooperative meets the minimum grade point average standards which are required of all students; and (6) each student participating in interscholastic athletic competition must comply with FHSAA eligibility requirements regarding age and limits of eligibility. (b) A student who has participated as a member of a senior high school in interscholastic athletic competition during the current school year prior to his/her application for membership in a home education cooperative shall be ineligible to represent that cooperative in interscholastic athletic competition for the duration of that school year unless a properly executed "Application for Waiver of the Transfer Rule" is obtained from the principal of the senior high school, and vice versa. A student who withdraws from a regular school program to enroll in a home education program and who is ineligible at the time of withdrawal from the regular school program due to his/her failure to meet academic or behavioral eligibility standards shall be ineligible to compete in interscholastic athletic competition as a home education student until he/she has successfully completed one semester in home education. (c) Home education cooperatives which become members of this Association may participate in interscholastic athletic competition against any other FHSAA member school; however, such cooperatives shall not be permitted to compete against non-member schools or non-member cooperatives. Home education cooperatives shall be classified for State Series competition based on the total number of students participating in the cooperative in grades 9 through 12.

***Florida Statutes § 1006.15***

(1) This section may be cited as the "Craig Dickinson Act."

(2) Interscholastic extracurricular student activities are an important complement to the academic curriculum. Participation in a comprehensive extracurricular and academic program contributes to student development of the social and intellectual skills necessary to become a well-rounded adult. As used in this section, the term "extracurricular" means any school-authorized or education-related activity occurring during or outside the regular instructional school day.

(3)(a) To be eligible to participate in interscholastic extracurricular student activities, a student must:

1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s.003.43(1).
2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student's parents, if the student's cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by s. 1003.43(1) or, for students who entered the 9th grade prior to the 1997-1998 school year, if the student's cumulative grade point average falls below 2.0 on a 4.0 scale, or its equivalent, in the courses required by s. 1003.43(1) that are taken after July 1, 1997. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.
3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1003.43(1) during his or her junior or senior year.
4. Maintain satisfactory conduct and, if a student is convicted of, or is found to have

committed, a felony or a delinquent act which would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.

(b) Any student who is exempt from attending a full school day based on rules adopted by the district school board for double session schools or programs, experimental schools, or schools operating under emergency conditions must maintain the grade point average required by this section and pass each class for which he or she is enrolled.

(c) An individual home education student is eligible to participate at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend pursuant to district or interdistrict controlled open enrollment provisions, or may develop an agreement to participate at a private school, in the interscholastic extracurricular activities of that school, provided the following conditions are met:

1. The home education student must meet the requirements of the home education program pursuant to s. 1002.41.
2. During the period of participation at a school, the home education student must demonstrate educational progress as required in paragraph (b) in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal which may include: review of the student's work by a certified teacher chosen by the parent; grades earned through correspondence; grades earned in courses taken at a community college, university, or trade school; standardized test scores above the 35th percentile; or any other method designated in s. 1002.41.
3. The home education student must meet the same residency requirements as other students in the school at which he or she participates.
4. The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.
5. The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before the beginning date of the season for the activity in which he or she wishes to participate. A home education student must be able to participate in curricular activities if that is a requirement for an extracurricular activity.
6. A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period provided the student has a successful evaluation from the previous school year, pursuant to subparagraph 2.
7. Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one grading period in home education pursuant to subparagraph 2. to become eligible to participate as a home education student.

(4) The student standards for participation in interscholastic extracurricular activities must be applied beginning with the student's first semester of the 9th grade. Each student must meet such other requirements for participation as may be established by the school district; however, a school district may not establish requirements for participation in

interscholastic extracurricular activities which make participation in such activities less accessible to home education students than to other students. Except as set forth in paragraph (3)(c), evaluation processes or requirements that are placed on home education student participants may not go beyond those that apply under s. 232.0201 to home education students generally.

(5) Any organization or entity that regulates or governs interscholastic extracurricular activities of public schools:

(a) Shall permit home education associations to join as member schools.

(b) Shall not discriminate against any eligible student based on an educational choice of public, nonpublic, or home education.

(6) Public schools are prohibited from membership in any organization or entity which regulates or governs interscholastic extracurricular activities and discriminates against eligible students in public, nonpublic, or home education.

(7) Any insurance provided by school districts for participants in extracurricular activities shall cover the participating home education student. If there is an additional premium for such coverage, the participating home education student shall pay said premium.

## #6

### **IDAHO: (Legislation passed)**

#### **From the Idaho High School Activities Association Handbook:**

##### 8-14-16 Non Traditional Student

To be in compliance with the section of Idaho Code 33-203, which provides for dual enrollment, the following interpretation of House Bill 171 will be used: Students who are enrolled in a nonpublic school shall be allowed to enroll in a public school for dual enrollment purposes. To be eligible for athletics or specific activities in the public school, the dual enrolled student must meet the following criteria: 1. The student must reside with a parent or guardian in the attendance area of the school for which the student will participate. 2. The student must comply with the same rules and requirements that apply to any student's participation in the same activity with the exception of IHSAA Rule 8-1 — Academic and Full Time Enrollment. 3. In order for any nonpublic school student or public charter school student to participate in nonacademic public school activities for which public schools students must demonstrate academic proficiency or eligibility, the nonpublic school or public charter school student shall demonstrate composite grade-level academic proficiency on any state board of education recognized achievement test, portfolio, or other mechanism as provided for in state board of education rules.

Additionally, a student shall be eligible if he achieves a minimum composite, core or survey test score within the average or higher than average range as established by the test service utilized on any nationally-normed test. Demonstrated proficiency shall be used to determine eligibility for the current and next following school year. School districts shall provide to nonpublic students who wish to take state tests or other standardized tests given to all regularly enrolled public school students.

Definition of Portfolio: A collection of materials that documents and demonstrates a student's academic and work-based learning. Although there is no standard format for a portfolio, it typically includes many forms of information that exhibit the student's knowledge, skills, and interests. By building a portfolio, students can recognize their own

growth and learn to take increased responsibility for their education. Teachers, mentors, and employers can use portfolios for assessment purposes and to record educational outcomes. For an example of a portfolio evaluation instrument, see the IHSAA website, [idhsaa.org](http://idhsaa.org) 4. It shall be the responsibility of the student to make all arrangements to take the required test and provide the principal of the school with the results of the test prior to being granted athletic eligibility at the public high school. 5. A member school student who is academically ineligible and withdraws from school to gain athletic eligibility will be ineligible for the duration of that school year and the following academic year. 6. Students who are enrolled in a private IHSAA member school are ineligible for dual enrollment in athletics at a public school in sports that are offered at the private IHSAA member school.

***Idaho Code § 33-203***

(1) The parent or guardian of a child of school age who is enrolled in a nonpublic school or a public charter school shall be allowed to enroll the student in a public school for dual enrollment purposes. The board of trustees of the school district shall adopt procedures governing enrollment pursuant to this section. If enrollment in a specific program reaches the maximum for the program, priority for enrollment shall be given to a student who is enrolled full time in the public noncharter school.

(2) Any student participating in dual enrollment may enter into any program in the public school available to other students subject to compliance with the eligibility requirements herein and the same responsibilities and standards of behavior and performance that apply to any student's participation in the activity, except that the academic eligibility requirements for participation in nonacademic activities are as provided for herein.

(3) Any school district shall be allowed to include dual-enrolled nonpublic school and public charter school students for the purposes of state funding only to the extent of the student's participation in the public school programs.

(4) Oversight of academic standards relating to participation in nonacademic public school activities shall be the responsibility of the primary educational provider for that student. In order for any nonpublic school student or public charter school student to participate in nonacademic public school activities for which public school students must demonstrate academic proficiency or eligibility, the nonpublic school or public charter school student shall demonstrate composite grade-level academic proficiency on any state board of education recognized achievement test, portfolio, or other mechanism as provided for in state board of education rules. Additionally, a student shall be eligible if he achieves a minimum composite, core or survey test score within the average or higher than average range as established by the test service utilized on any nationally-normed test. Demonstrated proficiency shall be used to determine eligibility for the current and next following school years. School districts shall provide to nonpublic students who wish to participate in dual enrollment activities the opportunity to take state tests or other standardized tests given to all regularly enrolled public school students.

(5) A public school student who has been unable to maintain academic eligibility is ineligible to participate in nonacademic public school activities as a nonpublic school or public charter school student for the duration of the school year in which the student becomes academically ineligible and for the following academic year.

(6) A nonpublic school or public charter school student participating in nonacademic public school activities must reside within the attendance boundaries of the school for

which the student participates.

(7) Dual enrollment shall include the option of joint enrollment in a regular public school and an alternative public school program. The state board of education shall establish rules that provide funding to school districts for each student who participates in both a regular public school program and an alternative public school program.

(8) Dual enrollment shall include the option of enrollment in a post-secondary institution. Any credits earned from an accredited post-secondary institution shall be credited toward state board of education high school graduation requirements.

(9) A nonpublic student is any student who receives educational instruction outside a public school classroom and such instruction can include, but is not limited to, a private school or a home school.

**#7**

**ILLINOIS: (ACCESS ONLY IF STUDENT IS PARTIALLY ENROLLED)**

**(Legislation passed)**

**From the Illinois High School Association Handbook:**

81) HOME SCHOOL STUDENT ELIGIBILITY Q. May a student who is home schooled, participate on a high school team? A. Yes, provided the student is enrolled at the member high school, the student is taking a minimum of twenty credit hours of work at the member school or in a program approved by the member school, and, the student must be granted credit for the work taken either at the member school or in a program it approved. (By-law 3.011)

***Illinois Compiled Statutes § 105 ILCS 5/10-20.24***

Part-time attendance

Sec. 10-20.24. Part-time attendance. To accept in part-time attendance in the regular education program of the district pupils enrolled in nonpublic schools if there is sufficient space in the public school desired to be attended. Request for attendance in the following school year must be submitted by the nonpublic school principal to the public school before May 1. Request may be made only to those public schools located in the district where the child attending the nonpublic school resides.

To accept, pursuant to the provisions of Section 14-6.01 [105 ILCS 5/14-6.01], in part-time attendance resident pupils of the types described in Sections 14-1.02 through 14-1.07 [105 ILCS 5/14-1.02 through 105 ILCS 5/14-1.07] who are enrolled in nonpublic schools.

**#8**

**IOWA: (Legislation passed)**

**From the Iowa High School Athletic Association Handbook:**

c. Competent private instruction. A student who receives competent private instruction, and is not dual enrolled in a public school, may participate in and be eligible for interscholastic athletics at an accredited nonpublic school if the student is accepted by that school and the student meets the eligibility requirements of this chapter and those set by the accredited nonpublic school where the student participates. Application shall be made to the accredited nonpublic school on a form provided by the Department of

Education. If a student seeking such participation is enrolled in an associate member school of the Iowa Girls' High School Athletic Union or Iowa High School Athletic Association, the student is eligible for and may participate in interscholastic athletic competition only for the associate member school or a school with which the associate member school is in a cooperative sharing agreement. (Eligibility in such case is governed by 281 IAC 36.1(280).) Any ineligibility imposed under this chapter shall begin with the first day of participation with the accredited nonpublic school. Any period of ineligibility applies only to varsity level contests and competitions. ("Varsity" means the highest level of competition offered by one school or school district against the highest level of competition offered by an opposing school or school district.)

***Iowa Code § 256.46***

Rules for participation in extracurricular activities by certain children.

The state board shall adopt rules that permit a child who does not meet the residence requirements for participation in extracurricular interscholastic contests or competitions sponsored or administered by an organization as defined in section 280.13 to participate in the contests or competitions immediately if the child is duly enrolled in a school, is otherwise eligible to participate, and meets one of the following circumstances or a similar circumstance: the child has been adopted; the child is placed under foster or shelter care; the child is living with one of the child's parents as a result of divorce, separation, death, or other change in the child's parents' marital relationship; the child is a foreign exchange student; the child has been placed in a juvenile correctional facility; the child is a ward of the court or the state; the child is a participant in a substance abuse or mental health program; or the child is enrolled in an accredited nonpublic high school because the child's district of residence has entered into a whole grade sharing agreement for the pupil's grade with another district.

***Iowa Code § 299A.8***

Dual enrollment.

If a parent, guardian, or legal custodian of a child who is receiving competent private instruction under this chapter or a child over compulsory age who is receiving private instruction submits a request, the child shall also be registered in a public school for dual enrollment purposes. If the child is enrolled in a public school district for dual enrollment purposes, the child shall be permitted to participate in any academic activities in the district and shall also be permitted to participate on the same basis as public school children in any extracurricular activities available to children in the child's grade or group, and the parent, guardian, or legal custodian shall not be required to pay the costs of any annual evaluation under this chapter. If the child is enrolled for dual enrollment purposes, the child shall be included in the public school's basic enrollment under section 257.6. A pupil enrolled in grades nine through twelve under this section shall be counted in the same manner as a shared-time pupil under section 257.6, subsection 1, paragraph "c".

**#9**

**KANSAS: (ACCESS FOR STUDENTS ENROLLED IN VIRTUAL SCHOOLS)**

The Executive Board voted unanimously to adopt the following policy specifying the terms by which students attending virtual schools accredited by the Kansas State

Department of Education may establish eligibility at a KSHSAA member public school. The policy was developed with input from staff, members of the Kansas State Department of Education and Kansas virtual school administrators. Executive Board members noted there has been very little feedback on the proposed policy as published in the March KSHSAA Executive Board Meeting Minutes. Since this is an Executive Board policy, it will not appear in the KSHSAA Handbook. The KSHSAA will post this information on its website and distribute it through appropriate means to all member schools.

KSHSAA Executive Board Policy Regarding Scholastic Eligibility of Virtual Students With respect to KSHSAA Scholarship Requirements Rule 13 and Enrollment Rule 15, students may count virtual courses for the purpose of establishing eligibility for all KSHSAA sponsored activities, provided local USD policy permits dual enrollment agreements with virtual schools.

The following stipulations will apply:

1. Virtual classes must be taken through a virtual school, fully accredited by the Kansas State Department of Education.
2. Students will be eligible at the public school in whose district and attendance area they reside.
3. Virtual students enrolling and establishing eligibility by September 20th must be included in the school's annual KSHSAA classification count.
4. The student must be currently enrolled and attending a minimum of one (1) class at the KSHSAA member public school where they desire eligibility. If the student desires participation in music, debate or speech activities, they must be enrolled and attending in that academic course at the school, if such course is offered and the school requires enrollment for participation.
5. Eligibility for virtual students will be established on a semester basis consistent with traditionally enrolled students. Virtual and traditionally enrolled students are required to pass five units of credit each semester to establish scholastic eligibility. The school is responsible to verify the academic progress of the student with the virtual school administrator prior to submitting the student's name on KSHSAA eligibility forms and rosters.
6. Virtual students must be enrolled in five units of credit (courses) each semester. At the conclusion of the academic semester, they must have completed coursework sufficient to equal a passing grade in each course, consistent with traditionally enrolled students.
7. All students, virtual or traditional, must pass five units of credit in the previous semester to retain eligibility.
8. Like traditionally enrolled students, virtual students must be currently enrolled in five or more courses not previously passed, to establish and retain eligibility each semester.
9. Local school districts retain the authority to approve dual enrollment agreements with virtual schools.

**RATIONALE:**

It is in the best interest of a virtual student to have daily contact with other students from the school with whom they will be interacting and competing on school teams. The student and the school share an interest in the student being a part of the daily climate and culture of the school.

## #10 (Legislation passed)

### MAINE:

**From the Maine Principals Association Handbook: (I could not locate the Maine Principals Association Handbook online)**

***Maine Revised Statutes 20-A § 5021***

5. PARTICIPATION IN EXTRACURRICULAR ACTIVITIES. Students receiving home-school instruction are eligible to try out for extracurricular activities sponsored by the local school unit, provided the student applies in writing, if the following requirements are satisfied.

A. The student agrees to abide by equivalent rules of participation as are applicable to regularly enrolled students participating in the activity and provides evidence that the rules of participation are being met.

B. The student complies with the same physical examination, immunization, insurance, age and semester eligibility requirements as regularly enrolled students participating in the activity. All required documentation must be made available upon request by the school unit.

C. The student meets equivalent academic standards as those established for regularly enrolled students participating in the activity and provides evidence that the academic standards are being met.

D. The student abides by the same transportation policy as regularly enrolled students participating in the activity.

## #11

**MARYLAND: (2005 LAWSUIT ENCOURAGED ATHLETIC ASSOCIATION TO AMMEND THEIR RULES TO ALLOW HOMESCHOOL STUDENTS ON PRIVATE TEAMS)**

Bressler v. Maryland Public Secondary Schools Athletic Association, No. 05-783 (D. Md. Sept. 7, 2005)

Legal Clips, September 2005

A federal district court in Maryland has dismissed a lawsuit brought by a private school coach and home-schooled students against the Maryland Public Secondary Schools Athletic Association (MPSSAA) over restrictions on home-schoolers participating in interscholastic athletics. In an unpublished opinion, the court granted MPSSAA's motion for summary judgment on the grounds that the plaintiffs' claims were "entirely without merit" in light of MPSSAA's adoption of rule changes that address the plaintiffs' constitutional concerns about fairness to home-schoolers "who are genuinely pursuing their education and who wish to participate in interscholastic athletic competition." In July 2005, MPSSAA adopted an 18-point guideline, called the Standards of Interscholastic Athletic Competition (SIAC), which sets out the conditions that non-member schools and athletes must meet in order to compete against MPSSAA member schools. The SIAC provides that such students must be recognized by their county as being home-schooled, and it must be verified that each student is in good academic standing as well as registered in a certified home-schooling program. Under the prior MPSSAA regulations, public school teams could only compete against other high school

teams whose athletes were enrolled at the school and were of high school age.

Private school's wrestling coach files suit after his team is barred from competing in tournament

Legal Clips, March 2005

A private school's wrestling coach has filed a lawsuit against the Maryland Public Secondary Schools Athletic Association (MPSSAA) after his team was barred from competing in a MPSSAA sanctioned tournament because there are home schooled students on the team. Carlos Sandoval, head wrestling coach at Progressive Christian Academy, is suing MPSSAA for \$7.7 million. He also has named MPSSAA director Ned Sparks and MPSSAA wrestling tournament director Duke Beattie as defendants and is seeking \$350,000 from each of them. MPSSAA rules restrict member schools to competing "only against high school teams" and stipulate that participants on school teams must be "students who are officially registered with, attending and representing the school from which they intend to graduate." Mr. Sandoval asserts, "They discriminated against a particular class of athletes, manufactured fraudulent rules, and applied [them] in an arbitrary manner. The ultimate goal is to [stop] the MPSSAA from issuing sanctions... that... disallow non-member schools from using home-schooled athletes." Dana Murray, an assistant state attorney general representing MPSSAA, plans to file a motion to dismiss the case on the ground that Mr. Sandoval "is not entitled to the relief sought as a matter of law."

**#12**

**MASSACHUSETTS:**

**From the Massachusetts Interscholastic Athletic Association Handbook**

54. Student Eligibility: Home Educated Students

A home-educated student is eligible to participate in interscholastic athletics if the following conditions are met: The local school committee of a MIAA public school member institution has adopted a policy regarding participation of home educated students on the high school teams, and the local building principal has indicated such on the annual MIAA membership form while including all home schoolers in the annual MIAA enrollment report. The Educational Plan for the home-educated student has been approved by the public school Superintendent or his/her designee. The Principal has determined appropriate high school grade level placement (9-12) for each home educated student in conjunction with chronological age and educational plan. The student resides in the school district that serves the high school, and is living with his/her parents or legal guardians in the family residence. In multiple school districts, a home-educated student must be assigned to the school of record in the same manner as other students. The Principal is satisfied that the student meets the standards for athletic participation required for all other students as defined in the current MIAA Handbook. This includes, but is not limited to, those rules governing transfers, academic eligibility, age requirements, and the number of consecutive seasons of athletic eligibility beyond grade eight. MIAA requirements relative to academic eligibility must be certified by the Principal at the same times that all other student athletes are to be certified as academically eligible. If the Principal determines that all eligibility standards detailed

above have been met, the Principal may declare the student eligible to participate in interscholastic competition. The rights, privileges, and responsibilities associated with all other student athletes attending MIAA member schools will apply to home educated students who have satisfied the requirements above.

### **#13**

#### **MICHIGAN: (ACCESS ONLY IF STUDENT IS PARTIALLY ENROLLED)**

The supervision and control of interscholastic athletics are the responsibility of each local board of education. Most local boards have adopted policies as proposed by the Michigan High School Athletic Association. Please contact the appropriate local school district or the Michigan High School Athletic Association at (517) 332-5046 or access information from the following Internet address: <http://www.mhsaa.com/>.

In order to participate in public school extracurricular activities, a student should be enrolled part-time in the public school.

#### **FROM MICHIGAN DEPARTMENT OF EDUCATION PUPIL ACCOUNTING MANUAL:**

A nonpublic pupil who attends a private, denominational or a parochial school or a pupil that is home schooled may be enrolled on a part-time basis in grades 1-12 in nonessential elective courses provided by a public school. Subject to a district's enrollment policy (i.e., course prerequisites, deadlines, etc.), the public school's nonessential elective courses that are offered to public school pupils must be offered to resident nonpublic school pupils or home schooled pupils upon request. The district may also choose to offer these elective courses to nonresident nonpublic pupils without obtaining approval from the pupil's district of residence.

### **#14 (Legislation passed)**

#### **MINNESOTA:**

##### **From the Minnesota State High School League Handbook:**

During the 1999 Legislative session, a law was passed stating that a school board "shall allow all resident pupils receiving instruction in a home school as defined in Section 123B.36 subdivision 1, paragraph A to be eligible to fully participate in extracurricular activities on the same basis as public school students."

To that end:

- Home schools that are located in the public school attendance area where they wish to participate no longer need to become members of the MSHSL.
- Local boards of education cannot deny resident home school students an opportunity to participate on public school teams.
- Cooperative sponsorships between home schools that are located in the public school attendance area where they wish to participate and public schools are no longer necessary.
- Home school students who participate on high school teams must meet all of the same eligibility requirements as the high school students in the school.
- Athletic Directors/School Principals must review the Bylaws in Section 100 and 200 of the most current MSHSL Handbook to ensure that the eligibility requirements for home

school students in their home school are met and that all students who represent the school team(s) are fully eligible according to MSHSL bylaws.

***Minnesota Statutes Annotated, 123B.49, Subd. 4(a-b)***

Board control of extracurricular activities.

(a) The board may take charge of and control all extracurricular activities of the teachers and children of the public schools in the district. Extracurricular activities means all direct and personal services for pupils for their enjoyment that are managed and operated under the guidance of an adult or staff member. The board shall allow all resident pupils receiving instruction in a home school as defined in section 123B.36, subdivision 1, paragraph (a), to be eligible to fully participate in extracurricular activities on the same basis as public school students.

(b) Extracurricular activities have all of the following characteristics:

- (1) they are not offered for school credit nor required for graduation;
- (2) they are generally conducted outside school hours, or if partly during school hours, at times agreed by the participants, and approved by school authorities;
- (3) the content of the activities is determined primarily by the pupil participants under the guidance of a staff member or other adult.

**#15**

**NEBRASKA: (ACCESS ONLY IF STUDENT IS PARTIALLY ENROLLED)**

**From the Nebraska School Activities Association Handbook:**

1. To be a participant in any NSAA activity at either the varsity or non-varsity levels of competition, an individual must be a bona fide student of a member high school. Exempt-school or home-school students, unless enrolled in a minimum of twenty credit hours of schoolwork in the member high school, are not eligible to represent a member school in NSAA activities, regardless of the level of participation or competition.

**#16**

**NEVADA:**

**From the Nevada Interscholastic Activities Association Handbook:**

NAC 386.793 Homeschooled children. (NRS 386.430) 1. To be eligible to participate in a sanctioned sport, a parent or legal guardian of a homeschooled child must submit to the school district in which the homeschooled child resides a written notice of intent to provide instruction for the homeschooled child at home. A parent or legal guardian of a homeschooled child who submits such a notice shall be deemed to be the teacher of the homeschooled child for all matters relating to participation by the homeschooled child in a sanctioned sport. 2. To be eligible to participate in a sanctioned sport, a parent or legal guardian of a homeschooled child must submit evidence satisfactory to the Executive Director that the homeschooled child has complied with the requirements for academic eligibility adopted by the school district in which he resides pursuant to NAC 386.803. The evidence must be submitted to the person designated by the school pursuant to paragraph (c) of subsection 4. 3. A homeschooled child who withdraws from a school where he is enrolled: (a) Remains eligible to participate in a sanctioned sport at that school if he was eligible to participate in that sanctioned sport at the time he withdrew

from the school; or (b) If he was not eligible to participate in a sanctioned sport at the time he withdrew from the school, must establish his eligibility to participate in that sanctioned sport by complying with the requirements for academic eligibility specified in subsection 2. 4. If a homeschooled child resides within the zone of attendance of a school and notifies the school that he wishes to participate in a sanctioned sport at that school, the school shall provide to the parent or legal guardian of the homeschooled child: (a) A statement setting forth the requirements for academic eligibility to participate in a sanctioned sport specified in subsection 2; (b) All schedules and requirements of the school relating to eligibility for participation in a sanctioned sport at the school; and (c) The name and telephone number of a person in the athletic department of the school with whom the homeschooled child or a parent or legal guardian of the homeschooled child may communicate relating to the academic eligibility of the homeschooled child to participate in the sanctioned sport. 5. A home schooled child may participate in a sanctioned sport at a private school upon approval by the private school. The private school may charge and collect a fee for authorizing the participation of the pupil in the sanctioned sport. The fee must be uniform with respect to homeschooled children. The private school shall report any such fee to the Association. A homeschooled child who participates in a sanctioned sport pursuant to this section is subject to the provisions of this chapter governing transfers. (Added to NAC by Nev. Interscholastic Activities Ass'n by R206-03, eff. 11-2-2004; eff. 12/29/05)

## **#17**

### **NEW HAMPSHIRE: (Legislation passed)**

#### **From the New Hampshire Interscholastic Athletic Association Handbook:**

Sect. 20: \* Charter, Home Educated and Non-Public Students: The NHIAA shall declare non-public and home-educated students to be immediately eligible to try out for a team(s) to participate in interscholastic athletics if the following conditions are met: A. The student must meet all established policies adopted by the local school board. B. The parents must submit a written request to the Principal of the member school requesting their son/daughter's eligibility to try out for an athletic team in interscholastic athletics C. A home-educated student may represent a charter school, non-public or public school in the district where they reside. The homeeducated student must be living with the parents or legal guardians in the family residence. D. A non-public and charter school student may represent the non-public or charter school they attend or the public high school in the district where they reside. The non-public or charter school student must be living with the parents or legal guardians in the family residence. E. The Principal must be satisfied there was no recruitment of the student for athletic purposes as defined under Definition of Recruitment in the NHIAA Handbook. F. The student meets the guidelines of the Age of Contestants Rule, Post-Graduate, Scholastic Standing Rule, Semester Rule and all other Eligibility Rules set forth in By-Law Article II of the NHIAA Handbook. G. The Principal shall be required to certify the students' eligibility and that, prior to making such a certification, shall be satisfied the requirements of all NHIAA Eligibility rules are met. H. The Scholastic Standing Rule must be reviewed by the Principal for each marking period the student athlete wishes to participate and recorded on the official transcript held by the school where the athlete participates. I. The NHIAA member

school must maintain a transcript of the student's academic record as well as other relevant eligibility rules (i.e. age, semesters, etc.) J. If the Principal determines the eligibility requirements detailed above have been met, he/she may declare the student immediately eligible to participate in interscholastic athletic competition. The Principal must inform the Association in writing that by completing the Non Public and Home Educated Student Application, he/she has reviewed all NHIAA eligibility rules and certifies the student has satisfied all of the eligibility requirements and, therefore, is eligible to try out in interscholastic athletics at their school. K. The requirements of the New Hampshire education statutes, relative to school attendance and enrollment, must also be satisfied before a non public and/or home educated student is declared eligible to participate. L. A student is eligible to represent only one (1) school in any academic year.

***New Hampshire Revised Statutes § 193:1-c***

Access to Public School Programs by Nonpublic or Home Educated Pupils.

I. Nonpublic or home educated pupils shall have access to curricular courses and cocurricular programs offered by the school district in which the pupil resides. The local school board may adopt a policy regulating participation in curricular courses and cocurricular programs, provided that such policy shall not be more restrictive for non-public or home educated pupils than the policy governing the school district's resident pupils. In this section, "cocurricular" shall include those activities which are designed to supplement and enrich regular academic programs of study, provide opportunities for social development, and encourage participation in clubs, athletics, performing groups, and service to school and community. For purposes of allowing access as described in this section, a "home educated pupil" shall not include any pupil who has graduated from a high school level program of home education, or its equivalent, or has attained the age of 21.

II. Nothing in this section shall be construed to require a parent to establish a home education program which exceeds the requirements of RSA 193:1.

**#18**

**NEW MEXICO: (Legislation passed)**

6.3.1 Open Enrollment Choice A. An incoming ninth grade student, or an eighth grade student who participates at the high school level, will have made his/her Open Enrollment Choice. The Open Enrollment Choice can be to attend a school within the attendance zone of his/her primary residence or attend a school outside the attendance zone of his/her primary residence with an approved transfer. 1. An incoming ninth grade student, upon his/her initial enrollment in ninth grade, will have an Open Enrollment Choice to enroll in a member public, private, tribal, independent, parochial, charter or alternative school. 2. An eighth grade student who participates in high school athletics, at any level of competition, will make his/her Open Enrollment Choice at the eighth grade. B. The Open Enrollment Choice will allow the Student to be eligible immediately at all levels of competition, providing all other requirements are met. (See 6.1.2 and 6.1.3 for possible exceptions to open enrollment eligibility.) C. If a Student with his/her Open Enrollment Choice as an incoming ninth grader chooses to enroll in a school outside the attendance zone of his/her primary residence, the Student will NOT be classified as a transfer Student. The Student must follow the Open Enrollment process as established by his/her

local school district. D. If a Student changes schools after the Open Enrollment Choice, he/she is classified as a transfer Student. All transfer rules then apply. See 6.5.2.

6.4.1 Student Enrollment The Student must be officially admitted in the public high school in his or her designated attendance zone, obtain a school district approved transfer to a school outside his or her designated attendance zone, or be enrolled in a non-public school. (See Open Enrollment Choice 6.3.1)

**(I couldn't locate New Mexico law, but I did speak to someone from governor's office in 2006 about the legislation that passed as a result of the Governor's recommendation - below is release sent out in 2005 from the New Mexico Governor)**

Home school and Charter school participation in extracurricular activities-- Working with the Legislature, Governor Richardson wants to use \$1 million to start a program that would allow home school and charter school students in grades 7-12 to participate in school district extracurricular activities sanctioned by the NMAA. Eligible students would get the opportunity to participate in activities, such as sports or academic clubs, at the public school in the zone in which the student lives. "I want to create opportunities for New Mexico families who choose home schooling or charter schools for their kids," Governor Bill Richardson said. "Extracurricular activities are an important part of the learning process. We should have more access to these programs, not less."

**#19**

**NORTH DAKOTA: (Legislation passed)**

**From the North Dakota High School Activities Association Handbook:**

NOTE ON HOME-BASED SCHOOL: The 1989 North Dakota State Legislature passed a law that permits home-based education. Basically, this law allows children to be taught at home by their parents if all the provisions of the law are followed.

The 1999 legislature amended this provision as follows:

Home Education - Participation in extracurricular activities.

1. A child receiving home education may participate in extracurricular activities either:
  - a. Under the auspices of the child's school district of residence; or
  - b. Under the auspices of an approved non-public school, if permitted by the administrator of the school.
2. For purposes of this section, a child participating under the auspices of the child's school district of residence is subject to the same standards for participation in extracurricular activities as those required of full-time students enrolled in the district.
3. For purposes of this section, a child participating under the auspices of an approved non-public school is subject to the same standards for participation in extracurricular activities as those required of full-time students enrolled in the school.
4. Once a child's parent has selected the public school district or the approved non-public school in which the child will participate for purposes of extracurricular activities, and has provided notification of the selection through the Statement of Intent required by subsection 4 of section 15-34.1-06 in N.D. Century Code, the child is subject to the transfer rules as provided in the Constitution and By-Laws of the North Dakota High School Activities Association.

The responsibility of checking on the eligibility of students involved in home-based instruction is that of the school in which the student is participating in the co-curricular

activities program. It is recommended that each school develop a form to be used in checking eligibility of all students including home-based students.

***North Dakota Century Code § 15.1-23-16***

Home education -- Participation in extracurricular activities

1. A child receiving home education may participate in extracurricular activities either:
  - a. Under the auspices of the child's school district of residence; or
  - b. Under the auspices of an approved nonpublic school, if permitted by the administrator of the school.
2. For purposes of this section, a child participating under the auspices of the child's school district of residence is subject to the same standards for participation in extracurricular activities as those required of full-time students enrolled in the district.
3. For purposes of this section, a child participating under the auspices of an approved nonpublic school is subject to the same standards for participation in extracurricular activities as those required of full-time students enrolled in the school.
4. Once a child's parent has selected the public school district or the approved nonpublic school in which the child will participate for purposes of extracurricular activities and has provided notification of the selection through the statement required by section 15.1-23-02, the child is subject to the transfer rules as provided in the constitution and bylaws of the North Dakota high school activities association.

**#20**

**OHIO (ACCESS ONLY IF STUDENT IS PARTIALLY ENROLLED)**

**From the Ohio High School Athletic Association Handbook:**

EXCEPTION 6: A student who is home schooled and is enrolled in a member school in accordance with the partial enrollment policy of a Board of Education or similar governing board may be eligible at the school where the student is enrolled and attending.

**#21**

**OREGON: (Legislation passed)**

**From the Oregon High School Activities Association Handbook:**

30. Eligibility – Home School Students

- A. Compliance with Oregon statutory requirements. In order for a home school student to represent an OSAA member school in competition, the student must satisfy all relevant requirements included in the home school statutes (ORS 339.030, ORS 339.035, ORS 339.460) including but not limited to the following:
- B. Notification of Intent to Home School. The home school student shall notify the local education service district (ESD) within ten days of withdrawal from the public school and prior to the first day of the school year.
- C. Meet school district eligibility requirements. The home school student shall meet all school district eligibility requirements with the exception of:
  - 1) The school district's school or class attendance requirements, and
  - 2) the OSAA academic eligibility requirements dealing with number of credits required per grading period.
- D. Meet school district responsibilities and standards of behavior and performance. The home school student shall be required to fulfill the same responsibilities and

standards of behavior and performance, including related class or practice requirements, of other students participating in the interscholastic activity of the team or squad and shall be required to meet the same standards for acceptance on the team or squad. The home school student also shall comply with all school requirements during the time of participation.

E. Academic eligibility (Testing) requirement. In lieu of satisfying the OSAA academic eligibility requirements dealing with number of credits required per grading period, the home school student shall achieve a minimum score on the achievement test required annually at the end of the school year (by August 15) of all home school students wishing to participate in activities. The minimum, composite test score as determined by the State Board of Education is the 23rd percentile. The score is used to determine eligibility for the following school year.

The statute also allows a school district to adopt an alternative requirement to a test, such as submission of a portfolio of work samples to a school district committee for review to determine whether a home school student is eligible to participate in interscholastic activities.

F. Effect of academic ineligibility. Any home school student who has been unable to maintain academic eligibility prior to transferring to a home school shall be ineligible to participate in interscholastic activities as a home school student for the duration of the school year in which the student becomes academically ineligible and for the following year. The student may take the required tests at the end of the second year and, upon meeting the minimum test score standards described in E. above, becomes eligible for the third year.

G. Compliance with OSAA deadlines and regulations. In addition to satisfying the Oregon statutory requirements summarized above, a home school student wishing to participate representing a member school must satisfy the following OSAA deadlines and regulations:

1) Deadlines.

a) Notification of Intent to Home School. The home school student shall notify the local ESD prior to the first day of school of the public or private school at which the student is eligible to participate in order to represent that school during that school year.

b) Testing. The home school student must have taken the annual test on or before August 15 in order to participate in OSAA activities during the following school year. The student may participate while awaiting test results.

c) Transfer. A transfer by a student to a home school is considered to have taken place “in between school years” if the transfer occurs prior to the first day of school of the public or private school at which the student is eligible to participate.

2) Other OSAA regulations. Other OSAA regulations are summarized below. (Please see the Rules section of this Handbook for more detailed explanation including questions and answers regarding the regulations.)

a) School representation (Rule 8.5.1.a). A home school student is eligible to represent only a public or private school located within the public school attendance boundaries of the joint residence of the student and student’s parents.

b) Transfer student eligibility (Rule 8.6.3.). If the transfer to the home school occurs in between school years, the student is immediately eligible at the beginning of the school year. If the transfer to the home school occurs during the school year, the student is

ineligible for the remainder of that school year.

c) Duration of eligibility / eight semester rule (Rule 8.2). A student may participate in interscholastic activities for four consecutive years or eight semesters after entering the 9th grade.

d) Age restrictions (Rule 8.3.). A student who becomes 19 before August 15 is ineligible for interscholastic competition. A student who becomes 19 on or after August 15 remains eligible for that entire school year.

3) Except where the denial of eligibility of a home school student is based upon Oregon statutory or regulatory requirements, the District Athletic Committee may in individual cases, at its discretion, waive or modify the eligibility rules regarding transfers involving home schools when in its opinion there are circumstances beyond the control of both the student and the student's parent(s) or other circumstances whereby enforcement of the rule would work an undue hardship upon the student. See Rule 8.5., "School Representation" for additional information.

***Oregon Revised Statutes § 339.460***

Home school students authorized to participate in interscholastic activities; conditions.

(1) Home school students shall not be denied by a school district the opportunity to participate in all interscholastic activities if the student fulfills the following conditions:

(a) The student must meet all school district eligibility requirements with the exception of:

(A) The school district's school or class attendance requirements; and

(B) The class requirements of the voluntary association administering interscholastic activities.

(b) (A) The student must achieve a minimum score on an examination from the list adopted by the State Board of Education pursuant to ORS 339.035. The examination shall be taken at the end of each school year and shall be used to determine eligibility for the following year. The minimum, composite test score that a student must achieve shall place the student at or above the 23rd percentile based on national norms. The parent or legal guardian shall submit the examination results to the school district; or

(B) A school district may adopt alternative requirements, in consultation with the parent or legal guardian of a home school student, that a student must meet to participate in interscholastic activities, including but not limited to a requirement that a student submit a portfolio of work samples to a school district committee for review to determine whether a student is eligible to participate in interscholastic activities.

(c) Any public school student who chooses to be home schooled must also meet the minimum standards as described in paragraph (b) of this subsection. The student may participate while awaiting examination results.

(d) Any public school student who has been unable to maintain academic eligibility shall be ineligible to participate in interscholastic activities as a home school student for the duration of the school year in which the student becomes academically ineligible and for the following year. The student must take the required examinations at the end of the second year and meet the standards described in paragraph (b) of this subsection to become eligible for the third year.

(e) The home school student shall be required to fulfill the same responsibilities and standards of behavior and performance, including related class or practice requirements, of other students participating in the interscholastic activity of the team or squad and shall

be required to meet the same standards for acceptance on the team or squad. The home school student must also comply with all public school requirements during the time of participation.

(f) A home school student participating in interscholastic activities must reside within the attendance boundaries of the school for which the student participates.

(2) As used in this section:

(a) "Board" means the State Board of Education.

(b) "Home school students" are those children taught by private teachers, parents or legal guardians as described in ORS 339.030.

(c) "Interscholastic activities" includes but is not limited to athletics, music, speech, and other related activities.

## #22

### **PENNSYLVANIA: (Legislation passed)**

#### **From the Pennsylvania Interscholastic Athletic Association Handbook:**

##### Attendance

1 You must be enrolled in and in full-time attendance at a PIAA member school, or be home-schooled.

2 Generally, you are eligible only at the school at which you are enrolled or, if a home-schooled student, at a public school in the public school district in which you reside.

Charter School students should consult with your Principal to determine the school at which you are eligible.

3 If you are absent from school during a semester for a total of 20 or more school days, you will lose your eligibility until you have been in attendance for a total of 45 school days following your 20th day of absence.

#### ***24 Pennsylvania Statutes Annotated 13-1327.1(f.1)***

(1) Beginning January 1, 2006, the school district of residence shall permit a child who is enrolled in a home education program to participate in any activity that is subject to the provisions of Section 511 including, but not limited to, clubs, musical ensembles, athletics and theatrical productions provided that the child:

1 (I) meets the eligibility criteria, or their equivalent, for participation in the activity that apply to students enrolled in the school district;

2 (II) Meets the try-out criteria, or their equivalent, for participation in the activity that apply to students enrolled in the school district; and

3 (III) Complies with all policies, rules and regulations, or their equivalent, of the governing organization of the activity.

(2) For the purposes of this subsection, the school district of residence's program of interscholastic athletics, including varsity sports, shall be considered an activity and shall include all activities related to competitive sports contests, games, events or exhibitions involving individual students or teams of students whenever such activities occur between schools within the school district or between schools outside of the school district.

(3) Where the activity requires completion of a physical examination or medical test as a condition of participation and the school district of residence offers such physical examination or medical test to students enrolled in the school district, the school district

shall permit a child who is enrolled in a home education program to access such physical examination or medical test. The school district shall publish the dates and times of such physical examination or medical test in a publication of general circulation in the school district and on its publicly accessible internet website.

(4) A board of school directors may adopt a policy to implement the requirements of this subsection. Such policy shall only apply to participation in activities and shall not conflict with any provisions of this section.

## **#23**

### **RHODE ISLAND:**

#### **From the Rhode Island Interscholastic League Handbook:**

I. Home School Eligibility - For students in home schooling to be eligible for competition in the RIIL, the following requirements must be met: 1. The student must be listed on the rolls of the school and certified to the Rhode Island Department of Education as a student. 2. The home school must furnish to the school and certify the academic grades and the school must record them on the official school records on a quarterly basis. 3. If a student is ineligible for academic and/or disciplinary reasons and subsequently becomes home schooled; s/he may not participate in interscholastic athletics during the period of ineligibility. 4. The school must approve the request of the home school student to compete on its teams. 5. All other requirements of the Rules and Regulations must be followed with the regular school certifying the eligibility of the home school student.

## **#24**

### **SOUTH DAKOTA:**

#### **From the South Dakota High School Activities Association Handbook:**

At the discretion of the local, member school, alternative instruction students under SDCL 13-27-3 may be granted permission by an accredited member school to participate in interscholastic contests by annually fulfilling the following conditions: 1. Demonstrate compliance with CHAPTER I, PART IV – STUDENT ELIGIBILITY and CHAPTER II, PART I – FURTHER ELIGIBILITY REQUIREMENTS FOR ATHLETIC CONTESTS (as applicable) by submitting the SDHSAA Eligibility Checklist for Alternative Instruction Students. 2. Providing documentation of the SDCL 13-27-3 APPLICATION FOR PUBLIC SCHOOL EXEMPTION CERTIFICATE REQUEST and nationally standardized achievement tests in grades tested under the state testing program. 3. Complying with all member school eligibility requirements with the exception of attendance requirements. Scholastic/academic eligibility shall be verified per local school administrative policy following the same procedure used to accept credits towards graduation when an alternative instruction student requests a transfer to the local school district. 4. Any student, who was unable to maintain academic eligibility in an accredited school, shall be ineligible to participate as an alternative instruction student for a period of one year. After one year, the student may regain eligibility per local school administrative policy. 5. Satisfying the responsibilities and standards of behavior and performance, including related class or practice requirements, as expected of other student participants as a condition for both the initial acceptance and continued

membership in the activity including but not limited to: (a) All local school training rules and/or codes of conduct will be applicable. (b) In order to be eligible to audition for and/or participate in Region Music Contests, AllState Chorus, All-State Orchestra or AllState Band, the student must be currently enrolled and attending the local school's parallel musical organization (if one exists) i.e. vocal music, instrumental music, orchestra. (This is the same rule that applies to students attending a member school.) (c) A student who is a member of a high school team may not participate in games, practice, tryouts, etc. in that particular sport during the same season on an independent or nonhigh school team or as a member of any "all-star" team, or completely unattached on an individual basis. (This is the same rule that applies to students attending a member school.) (d) All references to calendar shall refer to the calendar of the member school where the alternative instruction student is participating. 6. Eligibility will be established at the first member school the alternative student decides to participate. 7. The student may transfer their eligibility one time to another member school. If this occurs at the beginning of the school year, the student would become eligible immediately. If the transfer occurs after the first day of school, the student would become eligible as per the following guidelines: For students not enrolled on the first day of the school year at the school they are open enrolling to: • Open enrollment students enrolled in a SDHSAA member school which operates a five (5) day week shall become eligible on the forty-sixth (46th) scheduled day of school provided all other SDHSAA regulations are met. • Open enrollment students enrolled in a SDHSAA member school which operates a four (4) day week shall become eligible on the thirty-seventh (37th) scheduled day of school provided all other SDHSAA regulations are met. 8. A student who leaves an accredited school for any reason to enter an alternative instruction program shall be ineligible for interscholastic competition for a period of one year, beginning on the date the student enters the alternative instruction program. Re-enrollment in a member school shall not nullify the year of ineligibility.

## **#25**

### **UTAH: (Legislation passed)**

#### **From the Utah High School Activities Association:**

Section 13: Students exempted from compulsory public school education by the local board for instruction in private or home schools may be eligible for participation in extracurricular public school activities provided they earn credit as outlined in R277-700 and R277-438-4. The private or home school student may only participate in extracurricular activities at the school within whose boundaries the student's parent(s) or legal guardian(s) reside.

#### **Utah Code § 53A-11-102.5**

- (1) A person having control of a minor under this part who is enrolled in a regularly established private school or a home school may also enroll the minor in a public school for dual enrollment purposes.
- (2) The minor may participate in any academic activity in the public school available to students in the minor's grade or age group, subject to compliance with the same rules and requirements that apply to a full-time student's participation in the activity.
- (3) Except as otherwise provided in Sections 53A-11-101 and 53A-11-102, a student

enrolled in a public school may also be enrolled in a private school or a home school for dual enrollment purposes.

(4) A student enrolled in a dual enrollment program is considered a student of the district in which the public school of attendance is located for purposes of state funding to the extent of the student's participation in the public school programs.

(5) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the State Board of Education shall make rules for purposes of dual enrollment to govern and regulate the transferability of credits toward graduation that are earned in a private or home school.

(6) (a) The State Board of Education shall determine the policies and procedures necessary to permit students enrolled under Subsection (1) to participate in public school extracurricular activities.

(b) The board shall report its findings to the Legislature prior to the 1994 General Session, together with recommendations for proposed legislation, if required for participation in those activities by those students.

## **#26**

### **VERMONT: (Legislation passed)**

#### **From the Vermont Activities and Athletic Policy Handbook:**

#### **ELIGIBILITY STANDARDS FOR HOME STUDY STUDENTS**

A home study student who wishes to participate in a public school \*co-curricular program shall be an "eligible student" under this section if:

(1) The participating student is enrolled in a home-study program in compliance with Title 16, Section 166.

(2) The participating student must have a legal residence in the school district or is a legal resident of a district that does not maintain a school and pays tuition on behalf of its students.

(3) Participation in a school's co-curricular activities program shall not commence until a copy of the Vermont State Department of Education Enrollment Letter is presented to the principal by the parent or guardian.

(4) The participating student's academic program, as referenced in the Vermont State Department of Education Letter of Enrollment, will be reviewed by the student's parent or guardian at appropriate intervals as locally determined and consistent for all students to determine academic progress. This review and determination must be certified in writing from the parent/guardian to the principal.

(5) Prior to the start of a sport season or fine arts and performance activities in which a home study student wishes to participate, the parent or guardian and student must notify the principal in writing that he/she wishes to participate in a school's co-curricular activities program. Failure to provide a timely notification will not disqualify the student from participating, but may result in some delays in participation.

(6) The student may participate in co-curricular activities sponsored by a VPA member school provided the student complies with the same physical examination, insurance, age, and any other requirements for participation as required of all students.

(7) The home study student must adhere to the same standards of behavior,

responsibilities and performance as other participants of the team.

(8) Eligibility issues on all matters other than academic progress may be appealed in accordance with the bylaws of the Vermont Principals' Association.

(9) Consistent with law governing all student athletes, participation in co-curricular activities programs is a privilege, not a right and nothing in these eligibility standards to confer a right on any individual to participate in co-curricular activities.

1) The proposed eligibility standards for home study students would be considered a two year transitional program beginning July 1, 1999. The VPA shall provide progress reports and recommendations to the Vermont Board of Education.

2) \*The definition of co-curricular activities for this document shall include all interscholastic and extra-curricular activities sanctioned by the VPA.

***Code of Vermont Rules 22-000-009, Sec. 4404***

**4404 Participation of Home Study Students in Public School Co-curricular and Extracurricular Activities**

4404.1 A home study student shall be eligible to participate in or, when selection to participate in an activity is made on a competitive basis, to try out for, one or more co-curricular or extracurricular activities at a school operated by his or her district of residence or, if the district does not operate a school, at a public school for which his or her district is required to pay tuition. This rule is not intended to confer a right upon any student to participate in any activity. Although a home student need not enroll in academic programs to participate in activities under this rule, he or she must show compliance with insurance, physical examination, age, transfer and other requirements of the Vermont Principals Association on the same basis as enrolled students.

4404.2 Each school board shall adopt, by July 1, 1999, policies and procedures to ensure that home study students who wish to participate in co-curricular or extracurricular activities are accepted into those activities without first being required to enroll as part-time students at the sponsoring school.

**#27**

**WASHINGTON: (Legislation passed)**

**From the Washington Interscholastic Activities Association Handbook:**

18.5.4 Home based instruction students are categorized as regular members of a school. Therefore, to be eligible to participate in interscholastic contests/competitions, the student must:

A. Meet both WIAA and school district eligibility requirement standards of all students, including transfer student requirements.

B. Meet and adhere to the same team responsibilities and standards of behavior and performance of other members of the team/squad.

C. Participate as a member of the public school in which service area he/she resides with his/her family unit. After registering with the school district as a home school student, a student is subject to the transfer rules if he/she subsequently changes schools.

D. Provide the school administration acceptable documentation of any interscholastic eligibility standards required of all other student participants.

E. Comply with WIAA and local school regulations during the time of participation.

F. Comply with RCW 28A.225.010 (4).

G. Provide to school authorities all required forms and documentation.

**Washington Revised Code § 28A.150.350.**

Part time students -- Defined -- Enrollment authorized -- Reimbursement for costs --  
Funding authority recognition -- Rules, regulations

(1) For purposes of this section, the following definitions shall apply:

(a) "Private school student" shall mean any student enrolled full time in a private school;

(b) "School" shall mean any primary, secondary or vocational school;

(c) "School funding authority" shall mean any nonfederal governmental authority which provides moneys to common schools;

(d) "Part time student" shall mean and include: Any student enrolled in a course of instruction in a private school and taking courses at and/or receiving ancillary services offered by any public school not available in such private school; or any student who is not enrolled in a private school and is receiving home-based instruction under RCW 28A.225.010 which instruction includes taking courses at or receiving ancillary services from the local school district or both; or any student involved in any work training program and taking courses in any public school, which work training program is approved by the school board of the district in which such school is located.

(2) The board of directors of any school district is authorized and, in the same manner as for other public school students, shall permit the enrollment of and provide ancillary services for part time students: PROVIDED, That this section shall only apply to part time students who would be otherwise eligible for full time enrollment in the school district.

(3) The superintendent of public instruction shall recognize the costs to each school district occasioned by enrollment of and/or ancillary services provided for part time students authorized by subsection (2) of this section and shall include such costs in the distribution of funds to school districts pursuant to RCW 28A.150.260. Each school district shall be reimbursed for the costs or a portion thereof, occasioned by attendance of and/or ancillary services provided for part time students on a part time basis, by the superintendent of public instruction, according to law.

(4) Each school funding authority shall recognize the costs occasioned to each school district by enrollment of and ancillary services provided for part time students authorized by subsection (2) of this section, and shall include said costs in funding the activities of said school districts.

(5) The superintendent of public instruction is authorized to adopt rules and regulations to carry out the purposes of RCW 28A.150.260 and 28A.150.350.

**#28**

**WYOMING: (Legislation passed)**

**From the Wyoming High School Activities Association Handbook:**

**6.2.91 WHSAA AFFILIATE HOME SCHOOL STUDENT PARTICIPANT**

**ACADEMIC ELIGIBILITY REQUIREMENTS** The Affiliate Home School Student may establish academic eligibility through one of the following: a. Attaining a composite score, not less than the twenty-fifth percentile, on a nationally norm referenced

achievement test administered according to the guidelines established by test in question. The test score will be used to determine academic eligibility for one calendar year from the date of the results being received in the WHSAA office from the testing company. b. Grades and assessments given by a teacher currently certified by the Professional Teaching Standards Board meeting 6.2.1 through 6.2.50 above. The certified teacher must have a minimum of twenty (20) class hours of contact with the Affiliate home school student per week.

**6.2.92 WHSAA AFFILIATE HOME SCHOOL STUDENT PARTICIPATION ACADEMIC ELIGIBILITY REQUIREMENTS UNDER COMBINATION SCHOOL AGREEMENT** Submit proof of work in agreement with and to host combination member school that demonstrates compliance with subject and class hour requirements at the same frequency as the academic eligibility of other students is determined at the member school. Proof of work agreement may include requirements from 6.2.91 a. or b.

***Wyoming Statutes Chapter 4 § 21-4-506***

21-4-506. Participation in activities by students not enrolled in the district; limitation on fees.

- (a) Any school age child who is a resident of a school district, who is not under suspension or expulsion by a Wyoming school district and who is not enrolled as a full-time student in the district in which he resides, shall be permitted by the district to participate in any activities which are sanctioned by the Wyoming high school activities association and which are offered by the district subject to the following:
- (i) The district may require the student to pay any fees for participation which are required by the Wyoming high school activities association;
  - (ii) The district may charge that student an additional fee for participating, but that fee shall be no more than any fee for participating charged to full-time students of the district. The district shall not require that student to pay tuition or to pay any other fees or charges as a condition of participation;
  - (iii) As a condition of participation, the student shall be required to comply with all other rules and policies of the district or any school activities association applicable to all students participating in the activity and not related to the assessment of fees or charges.

**2007 - SIX STATES THAT WORKING ON LEGISLATION TO ALLOW ACCESS:**

**Alabama -**

**Georgia -**

**Mississippi -**

**New York-**

**South Carolina –**

**Texas -**