

Regular Session, 2008

HOUSE BILL NO. 871

BY REPRESENTATIVE HENRY

STUDENT/HOME STUDY: Provides eligibility for certain home study students to participate in public school interscholastic extracurricular activities

1 AN ACT

2 To enact R.S. 17:236.3 relative to the eligibility of students in state-approved home study  
3 programs to participate in interscholastic extracurricular activities in public  
4 elementary and secondary schools; to provide applicability, to provide guidelines and  
5 conditions for participation; to provide limitations; to provide effectiveness; to  
6 provide for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:236.3 is hereby enacted to read as follows:

9 §236.3. Home study program participants; eligibility to participate in public school  
10 interscholastic extracurricular activities; guidelines; standards; limitations

11 A. Beginning with the 2008-2009 school year and continuing thereafter, a  
12 student participating in a home study program approved by the State Board of  
13 Elementary and Secondary Education in accordance with R.S. 17:236.1 shall be  
14 eligible to participate in interscholastic extracurricular activities in public elementary  
15 and secondary schools in accordance with the provisions of this Section.

16 B. To be eligible to participate in an interscholastic extracurricular activity  
17 as provided by Subsection A of this Section, the home study student shall meet each  
18 of the following conditions:

1           (1) The activity in which the student participates is provided by a public  
2           school that the student would otherwise be eligible to attend if enrolled in the public  
3           school system.

4           (2) The student's participation in the activity is approved by the principal of  
5           the school providing the activity. A request by the student to participate in the  
6           activity, and the approval determination by the principal shall be made in a timely  
7           manner.

8           (3) At the time of participating in the activity, the student and the home study  
9           program are in full compliance with all guidelines, standards, and requirements  
10          established by R.S. 17:236.1 for an approved home study program.

11          (4) The student meets academic standards required of a public school student  
12          to participate in the activity however, the means used to determine that the home  
13          study student meets such standards shall be agreed to by the principal of the school  
14          offering the activity, in consultation with the school system superintendent, and the  
15          parent or other person responsible by law for the school attendance of the student.  
16          Such means may include those provided for in R.S. 17:236.1(D). The agreement  
17          shall occur prior to the home study student being permitted to participate in the  
18          activity.

19          (5) The student meets all other standards and requirements applicable to a  
20          public school student to participate in the activity excluding requirements for  
21          enrollment and attendance at the public school.

22          C.(1) A student who has been enrolled in a public or nonpublic school during  
23          the school year in which the student begins home study or during the previous school  
24          year and who was determined ineligible to participate in one or more interscholastic  
25          extracurricular activities at such school for reasons related to student conduct or  
26          academic performance, or both, shall disclose such determination of ineligibility to  
27          the principal of the school providing the activity in which the student is requesting  
28          to participate. Such student shall not be granted permission to participate in a public  
29          school activity for which the student was previously determined ineligible until the

1        time period, if any, established for such ineligibility has expired. If then granted  
 2        permission to participate, the student shall not begin participation until a time period  
 3        equal to that imposed for the previous ineligibility has passed and such additional  
 4        time period shall commence at the expiration of the previous time period.

5                (2) No home study student shall be determined ineligible to participate in a  
 6        interscholastic extracurricular activity at a public school based on the fact that the  
 7        student previously attended the public school and participated in such interscholastic  
 8        extracurricular activity.

9        Section 2. This Act shall become effective upon signature by the governor or, if not  
 10 signed by the governor, upon expiration of the time for bills to become law without signature  
 11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 12 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 13 effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Henry

HB No. 871

**Abstract:** Provides eligibility for certain home study students to participate in public school interscholastic extracurricular activities in accordance with specified guidelines, procedures, and limitations.

Proposed law provides (beginning with the 2008-2009 school year and continuing thereafter) that a student participating in a home study program approved by the State Board of Elementary and Secondary Education (BESE) as provided by law (R.S. 17:236.1) shall be eligible to participate in interscholastic extracurricular activities in public elementary and secondary schools in accordance with proposed law

Specifies that the home study student shall meet each of the following conditions:

- (1) The activity in which the student participates is provided by a public school that the student would otherwise be eligible to attend if enrolled in the public school system.
- (2) The student's participation in the activity is approved by the principal of the school providing the activity. Provides that a request to participate and the approval determination by the principal must be made in a timely manner.
- (3) At the time of participating in the activity, the student and the home study program is in full compliance with all guidelines, standards, and requirements established by law for an approved home study program.

- (4) The student meets academic standards required of a public school student to participate in the activity. Provides that the means used to determine that the home study student meets such standard shall be agreed to by the principal of the school offering the activity, in consultation with the school system superintendent, and the parent or other person responsible by law for the school attendance of the student. Permits such means to include certain methods permitted by present law relative to the approval of a home study program by BESE. Requires that the agreement must occur prior to the home study student being permitted to participate in the activity.
- (5) The student meets all other standards and requirements applicable to a public school student to participate in the activity excluding requirements for enrollment and attendance at the public school.

Provides that a student who has been enrolled in a public or nonpublic school during the school year in which the student begins home study or during the previous school year and who was determined ineligible to participate in one or more interscholastic extracurricular activities at such school for reasons related to student conduct or academic performance, or both, shall disclose such determination of ineligibility to the principal of the school providing the activity in which the student is requesting to participate. Specifies that such student shall not be granted permission to participate in a public school activity for which the student was previously determined ineligible until the time period, if any, established for such ineligibility has expired. Provides that if then granted permission to participate, the student shall not begin participation until a time period equal to that imposed for the previous ineligibility has passed and that such additional time period begins at the expiration of the previous time period.

Provides that no home study student shall be determined ineligible to participate in a interscholastic extracurricular activity at a public school based on the fact that the student previously attended the public school and participated in such interscholastic extracurricular activity.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:236.3)