

Regular Session, 2009

HOUSE BILL NO. 531

BY REPRESENTATIVES HENRY AND LABRUZZO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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 athletics in public elementary and
4 secondary schools; to provide applicability; to provide guidelines and conditions for
5 participation; to provide limitations; to provide effectiveness; to provide an effective
6 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 and
10 certain nonpublic school interscholastic athletics; guidelines; standards;
11 limitations

12 A. Beginning with the 2009-2010 school year and continuing thereafter, a
13 student participating in a home study program approved by the State Board of
14 Elementary and Secondary Education in accordance with R.S. 17:236.1 shall be
15 eligible to participate in interscholastic athletics in public elementary and secondary
16 schools and in any nonpublic school that is a member in good standing of the
17 Louisiana High School Athletic Association in accordance with the provisions of this
18 Section.

1 B. To be eligible to participate in interscholastic athletics as provided by
2 Subsection A of this Section, the home study student shall meet each of the
3 following conditions and comply with other applicable provisions of this Section:

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

7 (2)(a) The student's participation in the athletic activity is approved by the
8 principal of the school providing the activity. Except for the 2009-2010 school year,
9 a request by the student to participate in the activity shall be made at least sixty days
10 prior to the start of the school year in which the student seeks to participate in the
11 activity and the approval determination by the principal shall be made at least thirty
12 days prior to the start of that school year. For the 2009-2010 school year, the request
13 by the student to participate in the activity for the 2009-2010 school year shall be
14 made by July 15, 2009, and the approval determination by the principal shall be
15 made by August 1, 2009. After a principal has approved a student's request to
16 participate in the activity, the student shall be provided an equal opportunity to
17 qualify for such participation. The fact that the student is enrolled in a home study
18 program approved by the State Board of Elementary and Secondary Education shall
19 not be a factor in the approval determination by the principal.

20 (b) An approval determination made by a principal in accordance with the
21 provisions of this Section shall be final.

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

25 (4) The student meets academic standards required of a student at the school
26 to participate in the athletic activity. Before participating and as often as required,
27 the student shall provide each of the following:

28 (a) Documentation from the State Board of Elementary and Secondary
29 Education that the student's home study program is approved.

1 **(b) A copy of the student's transcript showing units of study completed or**
2 **in progress, the grades earned for such study, and the student's cumulative grade**
3 **point average.**

4 **(c) A written statement of assurance from a student's parent that participation**
5 **in the activity is not interfering with or hindering the student's academic progress.**

6 **(5) The student meets all other standards and requirements applicable to a**
7 **student at the school to participate in the athletic activity, including but not limited**
8 **to all policies and procedures relative to student discipline and tryouts, schedules,**
9 **forms, fees, and transportation arrangements but excluding requirements for**
10 **enrollment and attendance at that school.**

11 **(6) The student meets conditions applicable to students at the school relative**
12 **to having any required insurance coverage either by participating, if otherwise**
13 **eligible, in insurance programs offered through the school or school system or by**
14 **providing for such insurance coverage in another manner.**

15 **C.(1) A student who has been enrolled in a public or nonpublic school during**
16 **the school year in which the student begins home study or during the previous school**
17 **year and who was determined ineligible to participate in one or more interscholastic**
18 **athletic activities at such school for reasons related to student conduct or academic**
19 **performance, or both, shall be ineligible to participate in interscholastic athletic**
20 **activities as provided by this Section for one calendar year from the date the student**
21 **was determined ineligible.**

22 **(2) A student who has been enrolled in a public or nonpublic school during**
23 **the school year in which the student begins home study shall not be eligible to**
24 **participate in interscholastic athletic activities as provided by this Section during the**
25 **remainder of that school year nor during the following school year.**

26 **D. Any rule or regulation of the Louisiana High School Athletic Association**
27 **and of any other organization or entity which requires as a condition of eligibility to**
28 **participate in interscholastic athletics that a student be enrolled in or attend, or both,**
29 **a public or state-approved nonpublic school shall not apply to a home study student**
30 **who is eligible to participate in the activity in a public school in accordance with the**

1 provisions of this Section or who is eligible to participate in the activity in a
 2 state-approved nonpublic school in accordance with standards and procedures
 3 adopted by the governing authority of the nonpublic school that are substantially
 4 similar to those provided by this Section.

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

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)]

Henry

HB No. 531

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

Proposed law provides (beginning with the 2009-2010 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) in accordance with R.S. 17:236.1 shall be eligible to participate in interscholastic athletics in public elementary and secondary schools and in any nonpublic school that is a member in good standing of the La. High School Athletic Assoc. in accordance with the provisions of proposed law.

Specifies that to be eligible to participate in interscholastic athletics as provided by proposed law, the home study student shall meet each of the following conditions and comply with other applicable provisions of proposed law:

- (1) The activity is provided by a school that the student would otherwise be eligible to attend.
- (2) The student's participation is approved by the principal of the school. Provides (except for the 2009-2010 school year) that a request to participate shall be made at least 60 days prior to the start of the school year in which the student seeks to participate in the activity and that the approval determination by the principal shall be made at least 30 days prior to the start of that school year. Provides for the 2009-2010 school year that the request by the student to participate shall be made by July 15, 2009, and that the principal's approval determination shall be made by August 1, 2009. Requires that after a principal has approved a student's request, the student shall be provided an equal opportunity to qualify for such participation. Specifies that the fact that the student is enrolled in a home study program shall not be a factor in the approval determination by the principal. Also specifies that an approval determination made by a principal shall be final.

- (3) At the time of participating in the activity, the student and the home study program are in full compliance with all guidelines, standards, and requirements established by state law (R.S. 17:236.1).
- (4) The student meets academic standards required of a student at that school to participate in the activity. Provides that before participating and as often as required, the student shall provide the following:
 - (a) Documentation from BESE that the student's home study program is approved.
 - (b) A copy of the student's transcript showing units of study completed or in progress, the grades earned for such study, and the student's cumulative GPA.
 - (c) A written statement of assurance from a student's parent that participation in the activity is not interfering with or hindering the student's academic progress.
- (5) The student meets all other standards and requirements applicable to a student at that school to participate in the athletic activity, including but not limited to all policies and procedures relative to student discipline and tryouts, schedules, forms, fees, and transportation arrangements but excluding requirements for enrollment and attendance at that school.
- (6) The student meets conditions applicable to students at that school relative to having any required insurance coverage.

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 athletic activities at such school for reasons related to student conduct or academic performance, or both, shall be ineligible to participate in interscholastic athletic activities for one calendar year from the date the student was determined ineligible.

Specifies that a student who has been enrolled in a public or nonpublic school during the school year in which the student begins home study shall not be eligible to participate in interscholastic athletic activities during the remainder of that school year or the next.

Provides that any rule or regulation of the La. High School Athletic Assoc. and of any other organization or entity which requires as a condition of eligibility to participate in interscholastic athletics that a student be enrolled in or attend, or both, a public or state-approved nonpublic school shall not apply to a home study student who is eligible to participate in the activity in a public school in accordance with the provisions of proposed law or who is eligible to participate in the activity in a state-approved nonpublic school in accordance with standards and procedures adopted by the governing authority of the nonpublic school that are substantially similar to those provided by proposed law.

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

(Adds R.S. 17:236.3)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Relative to the requirement that the student meets all other standards and requirements applicable to a public school student to participate in the activity,

specifies that such requirement shall include all policies and procedures relative to student discipline.

House Floor Amendments to the engrossed bill.

1. Limits the activities a home school student may participate in to athletic activities; prior to amendment, proposed law authorized participation in extracurricular activities.
2. Allows students to participate in athletic activities at nonpublic schools meeting specified criteria.
3. Specifies time deadlines for requests for and approval of participation; prior to amendment, proposed law required only that requests and approval be timely.