

Regular Session, 2008

SENATE BILL NO. 576

BY SENATOR MICHOT

STUDENTS. Provides eligibility for certain home study students to participate in public school interscholastic extracurricular activities. (8/5/08)

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

8 Be it enacted by the Legislature of Louisiana:

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

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

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

1           **Section.**

2                   **B. To be eligible to participate in an interscholastic extracurricular**  
3                   **activity as provided by Subsection A of this Section, the home study student**  
4                   **shall meet all of the following conditions:**

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

8                   **(2) The student's participation in the activity is approved by the**  
9                   **principal of the school providing the activity. A request by the student to**  
10                   **participate in the activity and the approval determination by the principal shall**  
11                   **be made in a timely manner.**

12                   **(3) At the time of participating in the activity, the student and the home**  
13                   **study program is in full compliance with all guidelines, standards, and**  
14                   **requirements established by R.S. 17:236.1 for an approved home study**  
15                   **program.**

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

24                   **(5) The student meets all other standards and requirements applicable**  
25                   **to a public school student to participate in the activity, excluding requirements**  
26                   **for enrollment and attendance at the public school.**

27                   **C.(1) A student who has been enrolled in a public or nonpublic school**  
28                   **during the school year in which the student begins home study or during the**  
29                   **previous school year and who was determined ineligible to participate in one or**

1        **more interscholastic extracurricular activities at such school for reasons related**  
 2        **to student conduct or academic performance, or both, shall disclose such**  
 3        **determination of ineligibility to the principal of the school providing the activity**  
 4        **in which the student is requesting to participate. Such student shall not be**  
 5        **granted permission to participate in a public school activity for which the**  
 6        **student was previously determined ineligible until the time period, if any,**  
 7        **established for such ineligibility has expired. If subsequently granted**  
 8        **permission to participate, the student shall not begin participation until a time**  
 9        **period equal to that imposed for the previous ineligibility has passed, and such**  
 10       **additional time period shall commence at the expiration of the previous time**  
 11       **period.**

12                **(2) No home study student shall be determined ineligible to participate**  
 13        **in an interscholastic extracurricular activity at a public school based on the fact**  
 14        **that the student previously attended the public school and participated in such**  
 15        **interscholastic extracurricular activity.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jeanne C. Johnston.

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#### DIGEST

Proposed law provides that beginning with the 2008-2009 school year and 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.

Specifies that the home study student shall meet all 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 subsequently 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 August 15, 2008.

(Adds R.S. 17:236.3)