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RESEARCH SUPPLEMENT

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State Laws Concerning Participation of Homeschool Students in Public School Activities

Arizona

Home-instructed students are allowed to participate in the public schools' interscholastic activities. *Arizona Revised Statutes* § 15-802.01.

Colorado

Children participating in a nonpublic, home-based education program are allowed equal access to the public schools' extracurricular and interscholastic activities. *Colorado Revised Statutes* § 22-33-104.5(6) and *Colorado Revised Statutes* § 22-32-116.5.

Florida

Home-educated students are eligible to participate in the public schools' interscholastic extracurricular activities. *Florida Statutes* § 1006.15.

Idaho

Nonpublic school students are allowed to dual enroll in public schools to participate in nonacademic activities. *Idaho Code* § 33-203.

Illinois

Nonpublic school students may request to enroll part-time in public schools. The school board has the authority to accept such students into part-time attendance with restrictions, but is not required by law to do so. *Illinois Compiled Statutes* § 105 ILCS 5/10-20.24. Children with disabilities enrolled in nonpublic schools (including homeschools) have a right to enroll part-time in public school. 105 ILCS 5/14-6.01 (first paragraph). Also, homeschooled students are legally allowed to enroll in driver education programs (both classroom instruction and behind-the-wheel) provided in public schools in their district. Homeschooled students who wish to enroll in public school driver education classes must either show that the student received a passing grade in at least 8 courses during the previous 2 semesters prior to enrolling in the driver education course, or have the chief administrator of their private school (usually a parent) submit a letter waiving this requirement if it is in the best interest of the student (105 ILCS 5/27-24.2). HSLDA has a form letter for such a waiver available to our members.

Iowa

Students receiving "competent public instruction" may dual enroll with the public school to participate in any academic, instructional, or extracurricular activities offered by the school district. *Iowa Code* § 256.46, 299A8,

Iowa Administrative Code § 281-31.5-6.

Louisiana

Louisiana home-study students have the ability to participate on a public school sports team, if the principal of the school approves. LA-R.S. 17:236.3.

In 1970, the Louisiana Court of Appeals ruled against the participation of students enrolled in a private school. *Sanders v. Louisiana High School Athletic Association*, La. App., 242 So.2d 19.

Maine

Students receiving home instruction may enroll in any specific classes at the appropriate public school. This includes all academic, cocurricular and extracurricular activities. *Maine Revised Statutes* 20-A § 5021. Although Maine Revised Statutes 20-A § 5021.3 seems to give homeschoolers access to special education services, schools are taking the position that homeschoolers are not eligible for special education services because of a recent regulatory change.

Maryland

An intermediate appellate court ruled against private school students who sought to participate in a public school extracurricular activity. *Thomas v. Allegany County Board of Education*, 443 A.2d 622 (1982). However, a federal trial court memorandum prohibits the Maryland Public Secondary Schools Athletics Association from excluding from competition private schools with homeschool athletes. *Bressler v. Maryland Public Schools Secondary Athletics Association* (D. Md. JFM-05CV783, 2005).

Massachusetts

Several trial court decisions have ruled that homeschoolers must be allowed to participate based on the fact that superintendents are allowed to approve homeschool programs. These cases only apply to the districts in question, not the entire state. The Massachusetts Interscholastic Athletic Association allows homeschoolers to participate on public school teams provided they are in compliance with the school's policy. *MIAA Handbook* Rule 54.

Michigan

The Supreme Court of Michigan ruled that nonessential elective courses offered to public school students must be offered to resident nonpublic school students on a shared-time basis. *Snyder v. Charlotte Public School District*, 365 N.W.2d 151 (1984). The Michigan Department of Education has interpreted this case to mean that both nonpublic and homeschool students may enroll in nonessential elective courses at their local public school (see the department's [Information on Nonpublic and Home Schools](#)). No interscholastic activities are permitted unless permission is provided by the local public school district.

Minnesota

School districts "shall allow all resident pupils receiving instruction in a home school...to be eligible to fully participate in extracurricular [but not co-curricular] activities on the same basis as public school students." *Minnesota Statutes Annotated*, 123B.49, Subd. 4(a).

Missouri

The compulsory attendance statute may imply that homeschoolers can attend public school part time. RSMo. 167.031.1.

Montana

The Supreme Court of Montana ruled that school district policy which kept nonpublic students from participating in sports programs was "reasonable." The district's interest in developing full academic potential in each student

outweighed the students' right to play sports. *Kaptein v. Conrad School District*, 931 P.2d 1311 (Mont. 1997).

Nebraska

School boards shall allow part-time enrollment of students who are residents of the school district. School board policies may require part-time students to follow school policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event. *Nebraska Revised Statutes* § 79-2,136.

Nevada

The board of trustees of the school district must allow homeschooled students to participate in classes, extracurricular and interscholastic activities, and sports in the district in which the student resides, subject to statutory requirements. The governing body of a charter school must allow homeschooled students to participate in classes and extracurricular activities when all statutory requirements are met. A notice of intent of a homeschooled child to participate in programs and activities must be filed with the school district. *Nevada Revised Statutes* § 392.070, § 386.462, and § 386.580.

New Hampshire

Home-educated students are eligible to attend public school curricular courses and programs, including athletics. School districts may adopt policies regulating homeschool participation, as long as the policies are not more restrictive than those governing public school students. *New Hampshire Revised Statutes* § 193:1-c.

New Jersey

Homeschoolers do not have a right to access public school classes or extracurriculars. However, if a public school allows private-school students to come onto public school property to receive special education services, they must provide the same access to homeschool students. *Forstrom v. Byrne*, 775 A.2d 65 (N.J. App.Div. 2001).

New Mexico

A homeschool student is eligible to participate in three school district athletic activities at the public school in the attendance zone in which the student resides, according to the New Mexico activities association guidelines. The school district shall verify each homeschool student's academic eligibility to participate in school district athletic activities. *New Mexico Statutes Annotated* § 22-8-23.8.

New York

An appellate court ruled against homeschoolers who sought access to public school interscholastic sports. *Bradstreet v. Sobol*, 650 N.Y.S.2d 402 (A.D. 3 Dept. 1996). The Commissioner of Education's Regulations pertaining to interscholastic athletic competitions, Section 135.4(c)(7)(ii)(b)(2), requires that students in grades 9-12 must be a "bona fide student, enrolled during the first 15 days of such semester, is registered in the equivalent of three regular courses, is meeting the physical education requirement, and has been in regular attendance 80 percent of the school time..." to be eligible for interscholastic competition in public school sports.

North Dakota

A child receiving home education may participate in extracurricular activities either under the auspices of the child's school district of residence or under the auspices of an approved nonpublic school, if permitted by the administrator of the school. A homeschooled student is subject to the same standards for participation as required of full-time students at these schools. *North Dakota Century Code* § 15.1-23-16.

Oklahoma

Federal District Court ruled against a homeschooled student seeking to compel the school to allow part-time enrollment. *Swanson v. Guthrie Independent School District No. 1-1*, 942 F. Supp. 511 (W.D.Okl. 1996) The 10th

Circuit court of Appeals upheld this decision. 135 F.3d 694 (10th Cir. 1998).

Ohio

School districts are free to set their own policies regarding homeschooled students' participation in public school activities. According to the Ohio High School Athletic Association's (OHSAA) rules, homeschool students are eligible to participate provided they are enrolled in an OHSAA member school in accordance with the school's partial enrollment policy.

Oregon

School districts must allow homeschool students access to public school interscholastic activities. *Oregon Revised Statutes* § 339.460.

Pennsylvania

Homeschooled students meeting the same eligibility criteria as public-school students may participate in extracurricular activities of their public school district of residence. Such activities include, but are not limited to clubs, musical ensembles, athletics, and theatrical productions. *24 Pennsylvania Statutes Annotated* § 13-1327.1(f.1).

Rhode Island

Homeschool students are eligible to participate in activities the Rhode Island Interscholastic League (RIIL) sponsors if they comply with RIIL Rule 3.1.I. Also see *Michael and Christie B. Exeter-West Greenwich Reg. School Dist. Comm.*, Comm. of Ed Decision 0077-91.

South Dakota

A homeschool student can participate in public school sports if the school board approves. SDCL §13-36-7. A homeschool student has a right to partial enrollment in public school. SDCL §13-28-51.

Tennessee

A member of the Tennessee Secondary School Athletic Association (TSSAA) is permitted to play or scrimmage any secondary school with grades 9 and above in regular season play. For purposes of this rule, a school team may be one school or a cooperative program of one or more schools. This could include homeschool cooperative teams and teams from church-related schools. *TSSAA Bylaws, Art. IV, sec. 1*. TSSAA member schools may also play or scrimmage individual homeschooled students who are invited to participate in a track meet, wrestling competition, golf competition, etc. by a member school. This option would primarily apply to individual sports. See page 52 of the 2010-11 *TSSAA Handbook*.

Furthermore, a student being homeschooled under Option I may participate in extracurricular athletics at a member school (at the member school's discretion) if the student meets the eligibility requirements set forth in the TSSAA's most recent publication on homeschool student athlete eligibility. See the 2011-12 TSSAA bylaw on "Home School Student-Athlete Eligibility."

Utah

Effective May 9, 2010:

Homeschool students shall be eligible to participate in extracurricular activities at a public school consistent with eligibility standards. School districts may not impose additional requirements on homeschool students that are not imposed on fully enrolled public school students. *Utah Code* § 53A-11-102.6

Homeschool students who are dual-enrolled are eligible to participate in any extracurricular or co-curricular activity in the public school available to students in their 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. *State Board of Education Regulation R277-438-4. Utah Code § 53A-11-102.5.*

Vermont

School boards are required to adopt rules to integrate home-study students into school courses (cocurricular and extracurricular) and use of facilities. *Vermont Statutes Annotated* 16 § 563(24). School boards must follow Vermont Department of Education guidelines found in *Code of Vermont Rules* 22-000-009, Sec. 4401-4405.

Virginia

A school board has the option of allowing homeschool students to take classes. An attorney general opinion says that "...there is no law which prohibits a school board from accepting..." a private school student who wants to take an individual class at a public school. Va. Op. Atty. Gen. Nov. 30, 1973, to the Hon. Donald Pendleton. An informal letter from Assistant Attorney General Joan Murphy dated October 6, 1995, indicates that the reference to "private school student" in the attorney general's opinion should be construed to include homeschool students. Under Va. Code §22.1-253.13:2(N), a public school can receive state funding for a homeschool student taking up to two classes from among the following: math, science, English, history, social science, career and technical education, fine arts, foreign language, or health education or physical education.

Washington

School districts must permit enrollment of and provide ancillary services for part-time students enrolled in home-based education programs. *Washington Revised Code* § 28A.150.350

West Virginia

The West Virginia Supreme Court ruled that homeschooled students could be prohibited from participating in interscholastic athletics with public school students. The ruling held that there was no violation of equal protection to homeschoolers in permitting the West Virginia Secondary School Activities Association to require eligible students to be enrolled full-time in a member school. *Jones v. West Virginia State Board of Education, et al.*, 218 W.Va. 52, 622 S.E.2d 289.

Wyoming

State law permits nonenrolled students to participate in any activities sanctioned by the Wyoming High School Activities Association offered by the district. *Wyoming Statutes* Chapter 4 § 21-4-506. The Wyoming High School Activities Association allows home-educated students to play on participating schools' sports teams. *WHSAA Rules* 3.1.3, 6.2.0, 6.4.

Notes

States not mentioned in this memorandum do not have statutory law or case law addressing the situation of equal access for non-public students.

In states without laws addressing this situation, it is generally up to the individual schools and school districts to decide whether or not they will allow home-educated students access to services and activities.

Most states have private associations which have adopted bylaws for participation of homeschool students in public school interscholastic activities (competitive sports). Sometimes, these by-laws do not permit schools to allow a student's participation in these activities unless the student is enrolled full time in the school he or she represents. If a school violates this rule, the association can remove the school from the league or make the team forfeit its games.

Prepared by the legal staff of the Home School Legal Defense Association. Permission to reprint granted.

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.

Colorado Revised Statutes § 22-33-104.5(6)

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 school of the school district in which the child resides or is enrolled and may 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.

Colorado Revised Statutes § 22-32-116.5

(1)(a) Notwithstanding any other provision of this article, each school district and each public school, subject to the requirements of this section, shall allow any student enrolled in a school or participating in a nonpublic home-based educational program to participate on an equal basis in any activity offered by the school district or the public school that is not offered at the student's school of attendance or through the student's nonpublic home-based educational program. A school district or school shall not adopt or agree to be bound by any rule or policy of any organization or association that would prohibit any participation allowed by this section. Each nonpublic school may allow a student to participate in a particular activity offered by the nonpublic school, at the nonpublic school's discretion.

(b) Any student may participate in an activity through any amateur association or league of which the school or school district is not a member, and such participation shall not prevent the student from participating or affect the student's eligibility to participate in the same activity at any school, subject to the limitations specified in this section. Prior to participating in any activity through such an amateur association or league, the student shall obtain

the express written permission of the principal of the school at which the student participates in the activity, which permission shall be granted if:

(I) The student's class attendance is not compromised; and

(II) The student is in good academic standing under the school's activities policy applicable to all students.

(c) No school or school district that receives funds under article 54 of this title shall belong to any organization or association nor enforce any rule of a coach or principal that would prohibit a student's participation in any school or interscholastic school activity based upon the student's participation in lawful activities during out-of-school hours and off of school property.

(2)(a) A student may participate in activities only at the student's school of attendance or through the student's nonpublic home-based educational program, whichever is applicable, unless the school of attendance or nonpublic home-based educational program does not offer an activity in which the student wishes to participate.

(b) If a student's school of attendance or nonpublic home-based educational program does not offer an activity in which the student wishes to participate, the student may participate in the activity at another public school in the student's school district of attendance or in the student's school district of residence. If the activity is not offered at any public school in the school district of attendance or the school district of residence, the student may participate in the activity at a public school in a school district that is contiguous to the student's school district of residence or at the nearest public school that has the facilities for and offers the activity, even if the public school is not in a contiguous school district.

(c) If an activity is not offered at the student's school of attendance and the student chooses to participate in the activity at a public school in a contiguous school district, the school district in which the student chooses to participate, as provided in paragraph (b) of this subsection (2), shall choose the public school at which the student shall participate. In choosing a public school, the school district shall choose the public school that offers the greatest number of activities in which the student wishes to participate.

(d) A student may participate in activities at more than one school of participation during the same school year only if the original school of participation does not offer an activity in which the student wishes to participate.

(3)(a) If a student's school of attendance does not offer a particular activity, the student may choose to participate in the activity at a nonpublic school. The nonpublic school has discretion whether to allow the student to participate in an activity at the nonpublic school.

(b) A student may participate at a nonpublic school located in the student's school district of attendance or school district of residence. If the activity is not offered at a school in the student's school district of attendance or school district of residence, the student may apply to participate in the activity at a nonpublic school in a school district contiguous to the student's school district of residence.

(c) In choosing whether to participate in activities at a public or nonpublic school, the student shall choose the school of participation that offers the greatest number of activities in which the student wishes to participate. The limitation on the number of schools of participation specified in paragraph (d) of subsection (2) of this section applies regardless of whether the student participates in activities at a public or nonpublic school.

(4)(a) To participate in an activity at the school of attendance, a student shall meet all of the requirements imposed by the school of attendance.

(b) To participate in an activity at a school of participation, a student shall:

(I) If the student is participating in a nonpublic home-based educational program, comply with all laws governing said programs;

(II) Comply with all eligibility requirements imposed by the school of participation;

(III) Comply with the same responsibilities and standards of behavior, including related classroom and practice requirements, as are imposed on other students participating in the activity at the school of participation.

(5) A student who has not met all eligibility requirements for or who would have become ineligible to participate in activities at a school cannot gain or regain eligibility by applying to participate in activities at another school pursuant to this section. A student shall pay any penalty assessed against the student at the student's school of attendance or school of participation before the student may regain eligibility at the school of attendance or school of participation or become eligible to participate in any activity at another school.

(5.5) For each athletic activity offered, a school district may:

(a) For a team athletic activity, reserve for students enrolled in the district of the school of participation up to twice the number of starting positions on a team at each level of competition;

(b) For an individual athletic activity, reserve for students enrolled in the district of the school of participation up to one-half the total number of team members at each level of competition.

(6)(a) A school may charge any student participating in an activity a participation fee as a prerequisite to participation. The fee amount that a school of participation charges a nonenrolled student shall not exceed one hundred fifty percent of the fee amount the school of participation would charge an enrolled student to participate in the activity.

(b) If any fee is collected pursuant to this section 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.

(c) In addition to the fees allowed under paragraph (a) of this subsection (6), a school may charge a nonenrolled student participating in postseason competition in an individual athletic activity the actual cost of that postseason participation if the school is sponsoring only nonenrolled students in the postseason competition.

(7) For purposes of article 54 of this title, no student who participates in an activity in a school district other than the student's school district of attendance shall be included in the pupil enrollment of the school district where the student participates.

(8) The provisions of this section are intended to allow students to participate on an equal basis in extracurricular and interscholastic activities who would otherwise be denied the opportunity to do so and are not intended to sanction or encourage the recruitment of students for participation in such activities by schools or school districts.

(9) If a student transfers enrollment to another school without an accompanying change of domicile by the student's parent or legal guardian, the student's eligibility to participate in activities at the new school of attendance shall be determined under the rules of participation adopted by the school district in which the new school of attendance is located.

(9.5)(a) Notwithstanding any rule adopted or agreed to by any public school or school district, any student who is sanctioned or is found by the school, school district, or any organization or association to which the school or school district belongs to be ineligible to participate in any activity for any reason, except unsportsmanlike conduct or ejection from an activity, may appeal the sanction or finding. The appeal may be made through the applicable process at the school, any league to which the school or school district belongs, or any other organization to which the school or school district belongs.

(b) Any student may bypass the appeal process at any time by filing a petition or complaint with a group of sitting or retired judges or other group of neutral arbitrators approved by the school, school district, or any organization or association to which the school or school district belongs. In rendering his or her decision, the judge or arbitrator shall consider whether any rule was properly applied to the student and whether a waiver of any rule should be granted. A final decision shall be rendered by the judge or arbitrator no later than thirty days after the filing of the petition or complaint and shall be binding on the student, the school, the school district, and any association or organization to which the school or school district belongs. Any cost associated with a judge or arbitrator shall be charged equally to the student and any association or organization to which the school or school district belong.

(c) This subsection (9.5) shall not apply to any coach's team rules that are uniformly applicable to all team members; except that no coach may adopt a rule that is contrary to any provision of this section.

(10) As used in this section, unless the context otherwise requires:

(a) "Activity" means any extracurricular or interscholastic activity, including but not limited to any academic, artistic, athletic, recreational, or other activity offered by a school.

(b) "Nonpublic home-based educational program" has the same meaning as in section 22-33-104.5(2).

(c) "Nonpublic school" means any independent or parochial school that provides a basic academic education, as defined in section 22-33-104(2)(b).

(d) "Public school" means any school that is under the direction and control of a school district, including but not limited to a charter school.

(e) "School" includes any public school and nonpublic school.

(f) "School of attendance" means the school in which a student is enrolled and attends classes.

(g) "School district of attendance" means the school district in which a student is enrolled and attends classes or, if the student is participating in a nonpublic home-based educational program, except as provided for in section 22-33-104.5(6)(b)(II)(B), the school district in which the student participates in said program.

(h) "School district of residence" means the school district in which a student resides.

(i) "School of participation" means a school, other than the student's school of attendance, in which the student participates in an activity.

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.1003.43(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 district school board; however, a district school board 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. 1002.41 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.

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.

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.

Illinois Compiled Statutes § 105 ILCS 5/14-6.01

Powers and duties of school boards

§ 14-6.01. Powers and duties of school boards. School boards of one or more school districts establishing and maintaining any of the educational facilities described in this Article shall, in connection therewith, exercise similar powers and duties as are prescribed by law for the establishment, maintenance and management of other recognized educational facilities. Such school boards shall include only eligible children in the program and shall comply with all the requirements of this Article and all rules and regulations established by the State Board of Education. Such school boards shall accept in part-time attendance children with disabilities of the types described in Sections 14-1.02 through 14-1.07 who are enrolled in nonpublic schools. A request for part-time attendance must be submitted by a parent or guardian of the disabled child and may be made only to those public schools located in the district where the child attending the nonpublic school resides; however, nothing in this Section shall be construed as prohibiting an agreement between the district where the child resides and another public school district to provide special educational services if such an arrangement is deemed more convenient and economical. Special educational services shall be provided to such students as soon as possible after the identification, evaluation and placement procedures provided in Section 14-8.02, but no later than the beginning of the next school semester following the completion of such procedures. Transportation for students in part time attendance shall be provided only if required in the child's individualized educational program on the basis of the child's disabling condition or as the special education program location may require.

Illinois Compiled Statutes § 105 ILCS 5/27-24.2

Safety education; driver education course

§ 27-24.2. Safety education; driver education course. Instruction shall be given in safety education in each of grades one through 8, equivalent to one class period each week, and any school district which maintains grades 9 through 12 shall offer a driver education course in any such school which it operates. Its curriculum shall include content dealing with Chapters 11, 12, 13, 15, and 16 of the Illinois Vehicle Code, the rules adopted pursuant to those Chapters insofar as they pertain to the operation of motor vehicles, and the portions of the Litter Control Act relating to the operation of motor vehicles. The course of instruction given in grades 10 through 12 shall include an emphasis on the development of knowledge, attitudes, habits, and skills necessary for the safe operation of motor vehicles, including motorcycles insofar as they can be taught in the classroom, and instruction on distracted driving as a major traffic safety issue. In addition, the course shall include instruction on special hazards existing at and required safety and driving precautions that must be observed at emergency situations, highway construction and maintenance zones, and railroad crossings and the approaches thereto. The course of instruction required of each eligible student at the high school level shall consist of a minimum of 30 clock hours of classroom instruction and a minimum of 6 clock hours of individual behind-the-wheel instruction in a dual control car on public roadways taught by a driver education instructor endorsed by the State Board of Education. Both the classroom instruction part and the practice driving part of such driver education course shall be open to a resident or non-resident student attending a non-public school in the district wherein the course is offered. Each student attending any public or non-public high school in the district must receive a passing grade in at least 8 courses during the previous 2 semesters prior to enrolling in a driver education course, or the student shall not be permitted to enroll in the course; provided that the local superintendent of schools (with respect to a student attending a public high school in the district) or chief school administrator (with respect to a student attending a non-public high school in the district) may waive the requirement if the superintendent or chief school administrator, as the case may be, deems it to be in the best interest of the student. A student may be allowed to commence the classroom instruction part of such driver education course prior to reaching age 15 if such student then will be eligible to complete the entire course within 12 months

after being allowed to commence such classroom instruction.

Such a course may be commenced immediately after the completion of a prior course. Teachers of such courses shall meet the certification requirements of this Act and regulations of the State Board as to qualifications.

Subject to rules of the State Board of Education, the school district may charge a reasonable fee, not to exceed \$50, to students who participate in the course, unless a student is unable to pay for such a course, in which event the fee for such a student must be waived. The total amount from driver education fees and reimbursement from the State for driver education must not exceed the total cost of the driver education program in any year and must be deposited into the school district's driver education fund as a separate line item budget entry. All moneys deposited into the school district's driver education fund must be used solely for the funding of a high school driver education program approved by the State Board of Education that uses driver education instructors endorsed by the State Board of Education.

(Source: P.A. 95-339, eff. 8-21-07; 96-734, eff. 8-25-09.)

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".

Maine Revised Statutes 20-A § 5021

Standards for participation in public schools by students enrolled in equivalent instruction programs

A school administrative unit shall conform to the following standards in making public school resources and services available to a student enrolled in an equivalent instruction program approved by the commissioner pursuant to section 5001-A, subsection 3, paragraph A, subparagraph (3) for a student otherwise eligible to attend school in that school administrative unit.

1. **PARTICIPATION IN REGULAR CLASSES.** A student receiving home instruction may enroll in specific day school classes at the appropriate public school if each of the following conditions is met.

A. The student or the student's parent or guardian, on the student's behalf, applies in writing to and receives written approval from the superintendent or the superintendent's designee. Approval may not be unreasonably withheld. B. The student can demonstrate prior satisfactory academic achievement consistent with school unit policy and procedures applicable to all students.

C. The student shall comply with behavioral, disciplinary, attendance and other classroom rules applicable to all students. If a student fails to comply, the school may withhold credit or terminate participation.

D. Transportation must be provided by the parent or guardian or student. The student may use the same transportation as all other students in the school unit, as long as additional expenses are not incurred.

E. The student shall complete all assignments and tests as required of all students in the class.

F. A home-schooled student may audit a course in accordance with established local policy at the appropriate public school under the following conditions.

(1) The student or the student's parent or guardian, on behalf of the student, applies in writing to and receives written approval from the superintendent or the superintendent's designee to audit a specific course or courses. Participation may not be unreasonably withheld.

(2) The student agrees to meet established behavioral, disciplinary, attendance and other classroom rules applicable to all students. If a student fails to comply, the school may terminate participation.

2. **ACADEMIC CREDIT.** A student receiving home-school instruction must receive academic credit subject to the following requirements.

A. Academic credit for individual courses must be awarded if the student meets required academic standards applicable to all students enrolled in the same course.

B. Academic credit must be awarded for successful completion of alternative instruction opportunities sponsored by the school and available to all students.

3. **SPECIAL EDUCATION SERVICES.** A student receiving home-school instruction is eligible for special education services, as provided under federal regulations, in accordance with section 5001-A and relevant department procedures and standards.

4. **PARTICIPATION IN COCURRICULAR ACTIVITIES.** A student receiving home-school instruction is eligible to participate in cocurricular activities sponsored by the local school unit provided the following requirements are met.

A. The student or the student's parent or guardian, on behalf of the student, applies in writing to and receives written approval from the principal of the school or the principal's designee. Participation may not be unreasonably withheld. B. The student agrees to meet established behavioral, disciplinary, attendance and other rules applicable to all students.

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.

6. **USE OF SCHOOL FACILITIES AND EQUIPMENT.** A student receiving home-school instruction may use public school facilities and equipment on the same basis as regularly enrolled students if the following conditions are met:

A. Use does not disrupt regular school activities;

B. Use is approved by the school principal in accordance with established school policy;

C. Use does not create additional expense to the school unit;

D. Use is directly related to the student's academic program; and

E. Use of potentially hazardous areas, such as shops, laboratories and the gymnasium, is supervised by a qualified employee of the school administrative unit.

7. USE OF SCHOOL TEXTBOOKS AND LIBRARY BOOKS. Subject to availability, a student receiving home instruction may use school textbooks if the number of particular copies are sufficient and library books owned by the school unit subject to the following conditions:

- A. Use does not disrupt regular student, staff or special program functions;
- B. The student's sign-out period for a library book is the same as that applicable to regularly enrolled students;
- C. The student may sign out a textbook for a period not to exceed one year; and
- D. The parent or guardian and student agree to reimburse the school unit for lost, unreturned or damaged library books and textbooks and for consumable supplies used.

8. REIMBURSEMENT FOR STUDENTS ENROLLED IN EQUIVALENT INSTRUCTION PROGRAMS. A school administrative unit is entitled to receive state subsidy for any student who receives instruction through one or more on-site academic courses from a public school but is not a full-time student. A school administrative unit that sends any tuition student to another school administrative unit or to a private school approved pursuant to chapter 219 is also entitled to receive state subsidy under this subsection. The rate of reimbursement must be established in increments of 0.25 full-time equivalent status up to 1.0 full-time equivalent status based on the average amount of time per day that a student receives on-site academic services from a public school. School administrative units shall keep an accurate count of the number of students receiving on-site academic services and shall include the full-time equivalency status of these students in the annual count of students attending school in accordance with section 6004.

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.

Missouri Annotated Statutes § 167.031

167.031. School attendance compulsory, who may be excused--nonattendance, penalty--home school, definition, requirements--school year defined--daily log, defense to prosecution--compulsory attendance age for the district defined

1. Every parent, guardian or other person in this state having charge, control or custody of a child not enrolled in a public, private, parochial, parish school or full-time equivalent attendance in a combination of such schools and between the ages of seven years and the compulsory attendance age for the district is responsible for enrolling the child in a program of academic instruction which complies with subsection 2 of this section. Any parent, guardian or other person who enrolls a child between the ages of five and seven years in a public school program of academic instruction shall cause such child to attend the academic program on a regular basis, according to this section. Nonattendance by such child shall cause such parent, guardian or other responsible person to be in violation of the provisions of section 167.061, except as provided by this section. A parent, guardian or other person in this state having charge, control, or custody of a child between the ages of seven years of age and the compulsory attendance age for the district shall cause the child to attend regularly some public, private, parochial, parish, home school or a combination of such schools not less than the entire school term of the school which the child attends;

Nebraska Revised Statutes of 1943 § 79-2,136

Part-time enrollment; school board; duties; section, how construed.

Each school board shall allow the part-time enrollment of students who are residents of the school district pursuant to subsection (1) of section 79-215 and who are also enrolled in a private, denominational, or parochial school or in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements and shall establish policies and procedures for such part-time enrollment. Such policies and procedures may include provisions permitting the part-time enrollment of such students who are not residents of such school districts and may require part-time students to follow school policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event. Part-time enrollment shall not entitle a student to transportation or transportation reimbursements pursuant to section 79-611. Nothing in this section shall be construed to exempt any student from the compulsory attendance provisions of sections 79-201 to 79-207.

Nevada Revised Statutes § 392.070

3. Except as otherwise provided in subsection 2 for programs of special education and related services, upon the request of a parent or legal guardian of a child who is enrolled in a private school or a parent or legal guardian of a homeschooled child, the board of trustees of the school district in which the child resides shall authorize the child to participate in any classes and extracurricular activities, excluding sports, at a public school within the school district if:

- (a) Space for the child in the class or extracurricular activity is available;
- (b) The parent or legal guardian demonstrates to the satisfaction of the board of trustees that the child is qualified to participate in the class or extracurricular activity; and
- (c) If the child is a homeschooled child, a notice of intent of a homeschooled child to participate in programs and activities is filed for the child with the school district for the current school year pursuant to NRS 392.705.

If the board of trustees of a school district authorizes a child to participate in a class or extracurricular activity, excluding sports, pursuant to this subsection, the board of trustees is not required to provide transportation for the child to attend the class or activity. A homeschooled child must be allowed to participate in interscholastic activities and events governed by the Nevada Interscholastic Activities Association pursuant to NRS 386.420 to 386.470, inclusive, and interscholastic activities and events, including sports, pursuant to subsection 5.

4. The board of trustees of a school district may revoke its approval for a pupil to participate in a class or extracurricular activity at a public school pursuant to subsection 3 if the board of trustees or the public school determines that the pupil has failed to comply with applicable statutes, or applicable rules and regulations of the board of trustees. If the board of trustees revokes its approval, neither the board of trustees nor the public school is liable for any damages relating to the denial of services to the pupil.

5. In addition to those interscholastic activities and events governed by the Nevada Interscholastic Activities Association pursuant to NRS 386.420 to 386.470, inclusive, a homeschooled child must be allowed to participate in interscholastic activities and events, including sports, if a notice of intent of a homeschooled child to participate in programs and activities is filed for the child with the school district for the current school year pursuant to NRS 392.705. A homeschooled child who participates in interscholastic activities and events at a public school pursuant to this subsection must participate within the school district of the child's residence through the public school which the child is otherwise zoned to attend. Any rules or regulations that apply to pupils enrolled in public schools who participate in interscholastic activities and events, including sports, apply in the same manner to homeschooled children who participate in interscholastic activities and events, including, without limitation, provisions governing:

- (a) Eligibility and qualifications for participation;
- (b) Fees for participation;
- (c) Insurance;
- (d) Transportation;
- (e) Requirements of physical examination;
- (f) Responsibilities of participants;
- (g) Schedules of events;
- (h) Safety and welfare of participants;
- (i) Eligibility for awards, trophies and medals;
- (j) Conduct of behavior and performance of participants; and

(k) Disciplinary procedures.

6. If a homeschooled child participates in interscholastic activities and events pursuant to subsection 5:

(a) No challenge may be brought by the Association, a school district, a public school or a private school, a parent or guardian of a pupil enrolled in a public school or a private school, a pupil enrolled in a public school or a private school, or any other entity or person claiming that an interscholastic activity or event is invalid because the homeschooled child is allowed to participate.

(b) Neither the school district nor a public school may prescribe any regulations, rules, policies, procedures or requirements governing the eligibility or participation of the homeschooled child that are more restrictive than the provisions governing the eligibility and participation of pupils enrolled in public schools.

7. The programs of special education and related services required by subsection 2 may be offered at a public school or another location that is appropriate.

8. The board of trustees of a school district:

(a) May, before providing programs of special education and related services to a homeschooled child pursuant to subsection 2, require proof of the identity of the child, including, without limitation, the birth certificate of the child or other documentation sufficient to establish the identity of the child.

(b) May, before authorizing a homeschooled child to participate in a class or extracurricular activity, excluding sports, pursuant to subsection 3, require proof of the identity of the child, including, without limitation, the birth certificate of the child or other documentation sufficient to establish the identity of the child.

(c) Shall, before allowing a homeschooled child to participate in interscholastic activities and events governed by the Nevada Interscholastic Activities Association pursuant to NRS 386.420 to 386.470, inclusive, and interscholastic activities and events pursuant to subsection 5, require proof of the identity of the child, including, without limitation, the birth certificate of the child or other documentation sufficient to establish the identity of the child.

Nevada Revised Statutes § 386.462

1. A homeschooled child must be allowed to participate in interscholastic activities and events in accordance with the regulations adopted by the Nevada Interscholastic Activities Association pursuant to NRS 386.430 if a notice of intent of a homeschooled child to participate in programs and activities is filed for the child with the school district in which the child resides for the current school year pursuant to NRS 392.705.

2. The provisions of NRS 386.420 to 386.470, inclusive, and the regulations adopted pursuant thereto that apply to pupils enrolled in public schools who participate in interscholastic activities and events apply in the same manner to homeschooled children who participate in interscholastic activities and events, including, without limitation, provisions governing:

- (a) Eligibility and qualifications for participation;
- (b) Fees for participation;
- (c) Insurance;
- (d) Transportation;
- (e) Requirements of physical examination;
- (f) Responsibilities of participants;
- (g) Schedules of events;
- (h) Safety and welfare of participants;
- (i) Eligibility for awards, trophies and medals;
- (j) Conduct of behavior and performance of participants; and
- (k) Disciplinary procedures.

Nevada Revised Statutes § 386.580

5. Except as otherwise provided in this subsection, upon the request of a parent or legal guardian of a child who is enrolled in a public school of a school district or a private school, or a parent or legal guardian of a homeschooled child, the governing body of the charter school shall authorize the child to participate in a class that is not otherwise available to the child at his or her school or homeschool or participate in an extracurricular activity at the charter school if:

- (a) Space for the child in the class or extracurricular activity is available;
- (b) The parent or legal guardian demonstrates to the satisfaction of the governing body that the child is qualified to participate in the class or extracurricular activity; and
- (c) The child is a homeschooled child and a notice of intent of a homeschooled child to participate in programs and activities is filed for the child with the school district in which the child resides for the current school year pursuant to NRS 392.705.

If the governing body of a charter school authorizes a child to participate in a class or extracurricular activity pursuant to this subsection, the governing body is not required to provide transportation for the child to attend the class or activity. A charter school shall not authorize such a child to participate in a class or activity through a program of distance education provided by the charter school pursuant to NRS 388.820 to 388.874, inclusive.

6. The governing body of a charter school may revoke its approval for a child to participate in a class or extracurricular activity at a charter school pursuant to subsection 5 if the governing body determines that the child has failed to comply with applicable statutes, or applicable rules and regulations. If the governing body so revokes its approval, neither the governing body nor the charter school is liable for any damages relating to the denial of services to the child.

7. The governing body of a charter school may, before authorizing a homeschooled child to participate in a class or extracurricular activity pursuant to subsection 5, require proof of the identity of the child, including, without limitation, the birth certificate of the child or other documentation sufficient to establish the identity of the child.

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.

New Mexico Statutes Annotated § 22-8-23.8

The home school student activities program unit for a school district is determined by multiplying the number of home school students who are participating in school district activities governed by the New Mexico activities association by the cost differential factor of 0.1. The home school student activities program unit shall be paid to the school district in which it is generated. A home school student is eligible to participate in up to three school district athletic activities at the public school in the attendance zone in which the student resides, according to the New Mexico activities association guidelines. The school district shall verify each home school student's academic eligibility to participate in school district athletic activities.

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.

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.

24 Pennsylvania Statutes Annotated § 511

(a) The board of school directors in every school district shall prescribe, adopt, and enforce such reasonable rules and regulations as it may deem proper, regarding (1) the management, supervision, control, or prohibition of exercises, athletics, or games of any kind, school publications, debating, forensic, dramatic, musical, and other activities related to the school program, including raising and disbursing funds for any or all of such purposes and for scholarships, and (2) the organization, management, supervision, control, financing, or prohibition of organizations, clubs, societies and groups of the members of any class or school, and may provide for the suspension, dismissal, or other reasonable penalty in the case of any appointee, professional or other employee, or pupil who violates any of such rules or regulations.

(b) Any school or any class activity or organization thereof, with the approval of the board, may affiliate with any local, district, regional, State, or national organization whose purposes and activities are appropriate to and related to the school program.

(b.1) Private schools shall be permitted, if otherwise qualified, to be members of the Pennsylvania Interscholastic Athletic Association except that private schools located in cities of the second class which are members of the Pennsylvania Interscholastic Athletic Association shall, if they so elect, be assigned to a district or section outside of the geographical boundary of the second class city but contiguous thereto, and shall participate in Pennsylvania Interscholastic Athletic Association sponsored athletic contests in that section. The association shall not prohibit a private school from being a member solely on the grounds that the coach or a member of the coaching staff of any athletic team is not a teacher, or professional employee, either full-time or part-time, at such private school, except that this provision shall not apply to coaches or members of the coaching staff initially employed after January 1, 1965.

(c) The board of school directors may (1) permit the use of school property, real or personal, for the purpose of conducting any activity related to the school program, or by any school or class organization, club, society, or group, (2) authorize any school employee or employees to manage, supervise and control the development and conduct of any of such activities, (3) employ or assign any school employee to serve in any capacity in connection with any of such activities.

(d) Notwithstanding the use of school property or personnel, it shall be lawful for any school or any class or any organization, club, society, or group thereof, to raise, expend, or hold funds, including balances carried over from year to year, in its own name and under its own management, under the supervision of the principal or other professional employee of the school district designated by the board. Such funds shall not be the funds of the school district but shall remain the property of the respective school, class, organization, club, society, or group. The treasurer or custodian of such funds shall furnish to the school district a proper bond, in such amount and with such surety or sureties as the board shall approve, conditioned upon the faithful performance of his duties as treasurer or custodian. The premium of such bond, if any, shall be paid from the fund or funds secured thereby or from the funds of the school district, at the discretion of the board. The treasurer or custodian shall be required to maintain an accounting system approved by the board, shall deposit the funds in a depository approved by the board, shall submit a financial statement to the board quarterly or oftener, at the direction of the board, and shall submit the accounts to be audited in like manner as the accounts of the school district.

(e) All purchases of materials or supplies made by any organization, club, society or group or by any school or class shall be made by the purchaser in accordance with the requirements of section 807.1. [FN2]

(f) The board of school directors of any district is hereby authorized to appropriate any monies of the district for the payment of medical and hospital expenses incurred as a result of participation in such athletic events or games, practice or preparation therefore, or in transportation to or from such athletic events or games, or the practice or preparation therefore, and for the purchase of accident insurance in connection with such participation and transportation.

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:

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

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

(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.

Rhode Island Interscholastic League Rule 3, Section 1

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.

South Dakota Codified Laws § 13-36-7

13-36-7. Participation in interscholastic activities--Accreditation--Eligibility

Any student enrolling in a South Dakota district pursuant to § 13-15-21 is eligible to participate in any interscholastic activity sponsored by the South Dakota High School Activities Association. If the school board or governing body of an accredited school approves, a student receiving alternative instruction pursuant to § 13-27-3 is eligible to participate in any interscholastic activity sponsored by the South Dakota High School Activities Association. Nothing in this section confers any vested right in any student wishing to participate in any interscholastic activity to be selected for competition in such activity. However, any accredited school student who leaves an accredited program during the course of the school year for any reason and enters an alternative instruction program is ineligible for participation in interscholastic activities for one year beginning on the date in which the student enters the alternative program.

South Dakota Codified Laws § 13-28-51

13-28-51. Enrollment of child on partial basis upon request of parent or guardian—Alternative instruction

The resident school district of a child excused from school attendance pursuant to § 13-27-2 shall admit that child to a public school in the district upon request from the child's parent or legal guardian. A child enrolled in a school district pursuant to this section may be enrolled in a school of the school district on only a partial basis and shall continue to also receive alternative instruction pursuant to § 13-27-3.

Utah Code § 53A-11-102.5

Dual enrollment

(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.

Vermont Statutes § 563

Powers of school boards

The school board of a school district, in addition to other duties and authority specifically assigned by law: (24) Shall adopt a policy which, in accordance with rules adopted by the state board of education, will integrate home study students into its schools through enrollment in courses, participation in cocurricular and extracurricular activities and use of facilities.

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

4401 Statutory Authority: Section 1(c) of Act 119 of 1998; 16 V.S.A. §563(24).

4402 Definitions

"Facilities" means the portions of a school building and grounds used by students for classes, study and co-curricular or extracurricular activities.

"Home study student" means a student enrolled in a registered home study program pursuant to 16 V.S.A. §166b.

"Integrated course" means a course covering two or more subjects that are taught in a unified manner by one teacher or team where the subjects cannot be separated into discrete sections for purposes of student attendance.

4403 Part-time Enrollment of Home Study Students in Public School Academic Programs

4403.1 A home study student shall be eligible to enroll as a part-time student in a school operated by his or her district of residence or, if the district does not operate a school, in a public school for which his or her district of residence is required to pay tuition.

4403.2 Each school board shall adopt, by July 1, 1999, policies and procedures to ensure that home study students who request part-time enrollment in academic courses or programs are accepted into those courses or programs, and are furnished with required learning materials, on the same basis as full-time students.

4403.3 Policies and procedures adopted under this rule shall:

(a) upon inquiry by a home study student or parent, require the provision by the district of the student's residence of information concerning the availability of part-time enrollment in school. Such information shall include procedures, including registration deadlines, that home study students must follow to enroll on a part-time basis in the schools operated by the home study student's district of residence. In the event the district of residence does not operate a school in the grades appropriate to the inquiring student, the student or parents shall be given information on how to contact neighboring school districts that accept tuition students from the district of residence.

(b) apply the same enrollment procedures and deadlines to home study students that apply to full-time students.

(c) specify any enrollment capacity limits that the school board will apply to particular academic courses or grade levels. Capacity limits shall apply equally to home study and full-time students.

(d) establish criteria to determine whether home study students are eligible to enroll in integrated courses and courses that are available only to students who fulfill prerequisites. Criteria applied to courses with prerequisites shall be applied equally to home study and full-time students. Reasonable indications that academic criteria have been met, including results from achievement tests or other indications of adequate preparation, may be required of home study students, so long as those students are required to meet the same prerequisite standards as full-time students.

(e) establish informal and expeditious processes to appeal denials of requests for part-time enrollment to administrators and/or the school board.

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.

4404.3 Policies and procedures adopted under this rule shall:

(a) upon inquiry by a home study student or parent, require the provision by the district of the student's residence of information concerning the eligibility of home study students to participate in co-curricular or extracurricular activities. Such information shall include procedures, including registration deadlines, that home study students must follow to participate in activities at schools operated by the home study student's district of residence. In the event the district of residence does not operate a school in the grades appropriate to the inquiring student, the student or parents shall be given information on how to contact neighboring school districts that accept tuition students from the district of residence.

(b) apply the same activity registration deadlines to home study students that apply to full-time students. (c) apply the same academic eligibility requirements to home study students that apply to full-time students. Policies may require the parents of home study students to provide assurances that the school's academic eligibility standards are being met. Such assurances may be required at the same intervals during the year as is required of full-time students. A home study parent's assurance that the student meets the district's academic standards, provided at the intervals required by the school, shall be sufficient to satisfy academic eligibility requirements. (d) establish priorities and criteria for admitting students to particular activities. When space is limited in a particular activity, preference may be given to enrolled students as long as the reporting requirement in § 4404.4 of these rules is met.

Procedures for admitting home study students to activities with limited spaces may include lotteries, first-come first-served waiting lists and performance-based criteria for participation on sports teams or in activities.

(e) Policies adopted in compliance with this rule shall establish informal and expeditious procedures to appeal denials of requests to participate in activities to administrators and/or the school board.

4404.4 When a home study student's request to participate in an activity is denied on the grounds that space is not available and that preference is given to full-time students, the school shall, within 30 days of the denial, notify the Home Study Consultant at the Department of Education on a form provided by the Department.

4405 Use of School Facilities by Home Study Students

4405.1 A home study student may use facilities 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.

4405.2 Each school board shall adopt, by July 1, 1999, policies and procedures to ensure that home study students are allowed to use school facilities on the same basis as full-time students.

4405.3 Policies and procedures adopted under this rule shall:

(a) apply to home study students the same criteria, procedures and deadlines for requesting the use of school facilities as are applied to full-time students.

(b) upon inquiry by a home study student or parent, require the provision by the district of the student's residence of information concerning the use of school facilities operated by the district. In the event the district does not operate a school in the grades appropriate to the inquiring student, the student or parents shall be given information on how to contact neighboring school districts which accept tuition students from the district of residence.

(c) provide for the establishment of criteria to determine whether sufficient space is available to comply with specific requests for facilities use. Criteria may also be developed to establish fees, to be applied equally to home study and full-time students, for security, janitorial or other services not normally available at the time of the requested use.

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.

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.