

2175

2015-2016 Regular Sessions

I N S E N A T E

January 21, 2015

Introduced by Sens. ROBACH, ESPAILLAT -- read twice and ordered printed,
and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to prohibiting school districts from disallowing home-schooled students from participating in district interscholastic sports

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The education law is amended by adding a new section 1501-d
2 to read as follows:

3 S 1501-D. HOME-SCHOOLED STUDENTS; INTERSCHOLASTIC SPORTS. NOTWITH-
4 STANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, BOARDS OF EDUCATION
5 OF SCHOOL DISTRICTS ARE PROHIBITED FROM DISALLOWING HOME-SCHOOLED
6 STUDENTS FROM PARTICIPATING IN THE DISTRICT'S INTERSCHOLASTIC SPORTS,
7 AND SHALL MAKE PROVISION FOR SUCH PARTICIPATION IN ACCORDANCE WITH THE
8 FOLLOWING:

9 (1) HOME-SCHOOLED STUDENTS SHALL NOT BE DENIED BY A SCHOOL DISTRICT
10 THE OPPORTUNITY TO PARTICIPATE IN ALL INTERSCHOLASTIC ACTIVITIES IF THE
11 STUDENT FULFILLS THE FOLLOWING CONDITIONS:

12 (A) THE STUDENT MUST MEET ALL SCHOOL DISTRICT PHYSICAL EXAMINATION,
13 IMMUNIZATION, AND AGE ELIGIBILITY REQUIREMENTS WITH THE EXCEPTION OF:

14 (I) THE SCHOOL DISTRICT'S SCHOOL OR CLASS ATTENDANCE REQUIREMENTS; AND

15 (II) THE CLASS REQUIREMENTS OF THE VOLUNTARY ASSOCIATION ADMINISTERING
16 INTERSCHOLASTIC ACTIVITIES.

17 (B) (I) THE STUDENT MUST ACHIEVE A MINIMUM SCORE ON A STANDARDIZED
18 ACHIEVEMENT TEST PERMITTED UNDER SECTION 100.10 OF THE COMMISSIONER'S
19 REGULATIONS. THE EXAMINATION SHALL BE TAKEN AT THE END OF EACH SCHOOL
20 YEAR AND SHALL BE USED TO DETERMINE ELIGIBILITY FOR THE FOLLOWING YEAR.
21 THE MINIMUM, COMPOSITE TEST SCORE THAT A STUDENT MUST ACHIEVE SHALL
22 PLACE THE STUDENT AT OR ABOVE THE THIRTY-FOURTH PERCENTILE BASED ON
23 NATIONAL NORMS. THE PARENT OR LEGAL GUARDIAN SHALL SUBMIT THE EXAMINA-
24 TION RESULTS TO THE SCHOOL DISTRICT; OR

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 (II) A SCHOOL DISTRICT MAY ADOPT ALTERNATIVE REQUIREMENTS, IN CONSUL-
2 TATION WITH THE PARENT OR LEGAL GUARDIAN OF A HOME-SCHOOLED STUDENT,
3 THAT A STUDENT MUST MEET TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES,
4 INCLUDING BUT NOT LIMITED TO A REQUIREMENT THAT A STUDENT SUBMIT A PORT-
5 FOLIO OF WORK SAMPLES TO A SCHOOL DISTRICT COMMITTEE FOR REVIEW TO
6 DETERMINE WHETHER A STUDENT IS ELIGIBLE TO PARTICIPATE IN INTERSCHOLAS-
7 TIC ACTIVITIES.

8 (C) THE HOME-SCHOOLED STUDENT SHALL BE REQUIRED TO FULFILL THE SAME
9 RESPONSIBILITIES AND STANDARDS OF BEHAVIOR AND PERFORMANCE, INCLUDING
10 RELATED CLASS OR PRACTICE REQUIREMENTS, OF OTHER STUDENTS PARTICIPATING
11 IN THE INTERSCHOLASTIC ACTIVITY OF THE TEAM OR SQUAD AND SHALL BE
12 REQUIRED TO MEET THE SAME STANDARDS FOR ACCEPTANCE ON THE TEAM OR SQUAD.
13 THE HOME SCHOOL STUDENT MUST ALSO COMPLY WITH ALL PUBLIC SCHOOL REQUIRE-
14 MENTS DURING THE TIME OF PARTICIPATION.

15 (D) A HOME-SCHOOLED STUDENT PARTICIPATING IN INTERSCHOLASTIC ACTIV-
16 ITIES MUST RESIDE WITHIN THE ATTENDANCE BOUNDARIES OF THE SCHOOL FOR
17 WHICH THE STUDENT PARTICIPATES.

18 (E) TRANSPORTATION MUST BE PROVIDED BY THE PARENT OR GUARDIAN OF THE
19 STUDENT. THE STUDENT MAY USE THE SAME TRANSPORTATION AS ALL OTHER
20 STUDENTS IN THE SCHOOL UNIT, AS LONG AS ADDITIONAL EXPENSES ARE NOT
21 INCURRED.

22 S 2. This act shall take effect immediately.