

STATE OF NEW YORK

5472

2019-2020 Regular Sessions

IN SENATE

May 1, 2019

Introduced by Sens. MARTINEZ, ROBACH -- 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 Assem-
bly, 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 § 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, in consultation with district superintendents, may
6 formally adopt a district-wide policy to allow students to participate
7 in the district's interscholastic sports. The district-wide policy may
8 include, but not be limited to the following provisions:

9 Home-schooled students shall not be denied by a school district the
10 opportunity to participate in all interscholastic activities if the
11 student fulfills the following conditions:

12 (1) The student must meet all school district physical examination,
13 immunization, and age eligibility requirements with the exception of:

14 (a) The school district's school or class attendance requirements; and

15 (b) The class requirements of the voluntary association administering
16 interscholastic activities.

17 (2) (a) 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 **(b) A school district may adopt alternative requirements, in consulta-**
2 **tion with the parent or legal guardian of a home-schooled student, that**
3 **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 **(3) 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 **(4) 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 **(5) 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 § 2. This act shall take effect immediately.