

# STATE OF NEW YORK

1010

2023-2024 Regular Sessions

## IN SENATE

January 9, 2023

Introduced by Sen. OBERACKER -- 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 allowing school districts to permit home-schooled students to participate 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 3235  
2 to read as follows:

3 § 3235. Home instruction students and interscholastic sports. The  
4 board of education or trustee of a school district may establish and  
5 adopt a policy to allow a student who receives home instruction to try  
6 out for and participate on a school district's interschool athletic  
7 team. The policy shall include, but not be limited to the following  
8 provisions:

9 1. The student shall be required to meet all the same responsibilities  
10 and standards of behavior and eligibility for practice and competition  
11 as a public school student enrolled in the school district participating  
12 on the interschool athletic team including but not limited to the health  
13 examination, immunization, and age eligibility requirements;

14 2. The student shall annually meet all academic requirements pursuant  
15 to section 100.10 of commissioner regulations; provided, however, that a  
16 board of education or trustee of a school district may require addi-  
17 tional academic eligibility requirements;

18 3. The student shall only be eligible to try out for and participate  
19 on their school district of residence's interschool athletic team; and

20 4. Transportation shall be provided by the parent or guardian of the  
21 student.

22 § 2. This act shall take effect immediately.

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

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