

# ACT No. 691

HOUSE BILL NO. 303

BY REPRESENTATIVES HENRY, BOBBY BADON, TIM BURNS, CARMODY, CHAMPAGNE, CONNICK, GISCLAIR, HARDY, HINES, LABRUZZO, LAMBERT, LIGI, NOWLIN, SMILEY, AND WOOTON AND SENATORS APPEL, DONAHUE, DUPLESSIS, AND QUINN

1 AN ACT

2 To enact R.S. 17:176(G) and 236.3, relative to student eligibility to participate in high  
3 school interscholastic athletics; to provide certain definitions relative to participation  
4 in extracurricular activities; to provide relative to the eligibility of students in state-  
5 approved home study programs to participate in interscholastic athletics in certain  
6 high schools; to provide applicability; to provide guidelines and conditions for  
7 participation; to provide limitations; to provide effectiveness; to provide an effective  
8 date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:176(G) and 236.3 are hereby enacted to read as follows:

11 §176. Extracurricular activities; participation; standards; prohibitions; filming or  
12 videotaping; definitions

13 \* \* \*

14 G. For purposes of regulation of interscholastic athletic activity by the  
15 Louisiana High School Athletic Association, the word "family" as used in the rules,  
16 regulations, or by-laws of the Association shall mean "immediate family", and shall  
17 be defined as consisting of a student's parents, spouse, children, and siblings,  
18 excluding step siblings. If the phrase "extended family" is used by the Association,  
19 it shall mean the immediate family together with collateral relatives. The provisions  
20 of this Subsection shall apply retroactively to August 1, 2009.

21 \* \* \*

1           §236.3. Home study program participants; eligibility to participate in interscholastic  
2                           athletics; guidelines; standards; limitations

3           A. Beginning with the 2010-2011 school year and continuing thereafter, a  
4           student in a home study program approved by the State Board of Elementary and  
5           Secondary Education in accordance with R.S. 17:236.1 shall be eligible as follows  
6           to participate in interscholastic athletic activities at a high school that is a member  
7           of the Louisiana High School Athletic Association:

8                           (1) If seeking to participate at a public high school that is a member of the  
9                           association, participation shall be in accordance with the provisions of this Section.

10                           (2)(a) If seeking to participate at a state-approved nonpublic high school that  
11                           is a member of the association, participation shall be at the sole discretion of the  
12                           governing authority of the nonpublic school. If participation is permitted, the  
13                           governing authority shall determine the terms and conditions of any such  
14                           participation at the school. However, the student's participation shall be subject to  
15                           the same requirements, policies, and rules of eligibility of the Louisiana High School  
16                           Athletic Association as applicable to other students participating in the activity at  
17                           that school, excluding any association requirements, policies, or rules that prohibit  
18                           or restrict such participation by a student in a state-approved home study program.

19                           (b) No person, individually or on behalf of any other person, shall have a  
20                           cause of action arising from a denial of participation of a home study student in  
21                           interscholastic athletics at a state-approved nonpublic high school or, if a home study  
22                           student is allowed to participate under terms and conditions determined by the  
23                           governing authority of the nonpublic school, from any refusal or denial by the  
24                           nonpublic school of further participation by the student in interscholastic athletics  
25                           at the nonpublic school.

26                           (c) Nothing in this Subsection shall be construed as regulation of a private  
27                           secondary school inconsistent with Article VIII, Section 4, of the Constitution of  
28                           Louisiana.

1           B. To be eligible to participate in interscholastic athletics as provided by  
2           Subsection A of this Section, the home study student shall meet each of the  
3           following conditions and comply with other applicable provisions of this Section:

4           (1) The student shall be subject to the same residency or attendance zone  
5           requirements as other students participating in the athletic activity.

6           (2)(a) The student's participation shall be approved by the principal of the  
7           school providing the athletic activity.

8           (b) The student's parent or legal guardian shall make a written request for the  
9           student to participate in interscholastic athletic activities to the principal of the  
10          school providing the activity. Such request shall be made not later than the first  
11          eleven days of the school year.

12          (c) The principal of the school providing the athletic activity shall approve  
13          or disapprove such written request within thirty days after receipt by the principal of  
14          all information and documentation requested by the principal from the student or the  
15          student's parent or legal guardian, or both. A request for information and  
16          documentation by the principal shall be limited to information and documentation  
17          that is required by this Section and information and documentation that is required  
18          of other students relative to participation in the athletic activity.

19          (d) A decision by the principal to approve or disapprove the written request  
20          for the student to participate shall be final.

21          (e) No person, individually or on behalf of any other person, shall have a  
22          cause of action arising from a denial by a public school principal of participation by  
23          a home study student in interscholastic athletics at the school or, if a home study  
24          student is allowed by the principal to participate under the terms and conditions  
25          provided by this Section from any refusal or denial of further participation by the  
26          student in interscholastic athletics at the school.

27          (3) After a decision is made by the principal to approve a request for the  
28          student to participate, the student then shall participate in any tryouts for such  
29          activity at the same time and in the same manner as other students who want to  
30          participate in the same activity.

1           (4) At the time of participation in the athletic activity, the student and the  
2           student's home study program shall be in full compliance with all guidelines,  
3           standards, and requirements established by R.S. 17:236.1 for a home study program  
4           to be approved by the state.

5           (5)(a) The student shall meet academic standards required of other students  
6           to participate in the athletic activity.

7           (b) The student shall submit documentation from the State Board of  
8           Elementary and Secondary Education that the student is in a home study program  
9           approved by the board.

10          (c) The student shall submit a copy of his transcript showing units of study  
11          completed or in progress, the grades earned for such study, and his cumulative grade  
12          point average.

13          (6) The student shall meet all other standards and requirements applicable  
14          to a student participating in the athletic activity, including but not limited to tryouts,  
15          practice time, codes of conduct and student discipline, physical exams, proof of age,  
16          permission forms, waivers, required paperwork, fees, and transportation  
17          arrangements but excluding any requirements that the student be enrolled in or attend  
18          the school, or both.

19          (7) The student shall meet conditions applicable to students at the school  
20          relative to having any required insurance coverage either by participating, if  
21          otherwise eligible, in insurance programs offered through the school or school  
22          system or by providing for such insurance coverage in another manner.

23          C.(1) A student who has been enrolled in a public or nonpublic school during  
24          the school year in which the student begins home study or during the previous school  
25          year and who was determined ineligible to participate in one or more interscholastic  
26          extracurricular activities at such school for reasons related to student conduct or  
27          academic performance, or both, shall be ineligible to participate in interscholastic  
28          athletic activities as provided by this Section for one calendar year from the date the  
29          student was determined ineligible.

1                   (2) A student who has been enrolled in a public or nonpublic school during  
 2                   the school year in which the student begins home study shall not be eligible to  
 3                   participate in interscholastic athletic activities as provided by this Section during the  
 4                   remainder of that school year nor during the following school year.

5                   D.(1) Any home study student who provides or on whose behalf others  
 6                   provide any false representation, documentation, or verification of the student's  
 7                   qualifications for the purpose of meeting eligibility requirements to participate in  
 8                   interscholastic athletics shall be ruled ineligible to participate in accordance with  
 9                   policies of the Louisiana High School Athletic Association and shall be subject to  
 10                  the same penalties as other students as provided by the association.

11                  (2) A school determined to be knowledgeable of any false representation,  
 12                  documentation, or verification of a home study student's qualifications for the  
 13                  purpose of meeting eligibility requirements to participate in interscholastic athletics  
 14                  shall be subject to penalties as established by the Louisiana High School Athletic  
 15                  Association for use of an ineligible student athlete.

16                  Section 2. This Act shall become effective upon signature by the governor or, if not  
 17                  signed by the governor, upon expiration of the time for bills to become law without signature  
 18                  by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 19                  vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 20                  effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_