

HOUSE BILL 1096

By Hale

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 6, relative to home school.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-3050(e), is amended by adding the following as a new subdivision:

(4) Notwithstanding subdivisions (e)(1)-(3):

(A) Public schools, including public charter schools, shall not use public funds to join, become members of, or maintain membership in an association that regulates interscholastic athletics unless the association's bylaws:

(i) Allow a home school student to immediately participate in an interscholastic athletic offered by the public school if the student:

(a) Was enrolled in the public school in the immediately preceding school year;

(b) Withdrew from the public school in good standing;

(c) Participated as a member of an interscholastic athletic team at the public school in the school year immediately preceding the student's withdrawal to attend a home school;

(d) Wishes to continue participating as a member of the same interscholastic athletic team as a home school student; and

(e) Is in good standing as a home school student; and

(ii) Do not require a home school student who meets the qualifications in subdivision (e)(4)(A)(i) to be declared ineligible for

immediate participation in an interscholastic athletic for changing or transferring schools or for a change of residence that places the student outside the territory, jurisdiction, or geographic boundaries of the LEA or public school at which the student was previously enrolled;

(B) Subdivision (e)(4)(A)(ii) does not prohibit an association that regulates interscholastic athletics from declaring a student ineligible for immediate participation in an interscholastic athletic at a public school pursuant to this subdivision (e)(4) if the home school student enrolls in another public school or private school, as those terms are defined in § 49-6-3001; and

(C)

(i) If a home school student meets each of the qualifications in subdivision (e)(4)(A)(i), and if the public school offers the interscholastic athletic that the student previously participated in while enrolled in the public school, then the public school shall not:

(a) Prohibit the student from participating as a member of the interscholastic athletic team; or

(b) Require the student to try out in order to participate as a member of the interscholastic athletic team if the student's participation in the interscholastic athletic is continuous; and

(ii) This subdivision (e)(4) does not allow a home school student to participate in an interscholastic athletic offered by the public school at which the student was previously enrolled if the home school student is not of the age or grade level required for students to participate.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.