

HCS SS SB 63 -- STUDENTS IN NONTRADITIONAL SETTINGS

SPONSOR: Brown (226)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elementary and Secondary Education by a vote of 18 to 4. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 8 to 1.

The following is a summary of the House Committee Substitute for SS SB 63.

PARTICIPATION IN SCHOOL EVENTS OR ACTIVITIES (Section 167.012, 167.013, and 167.790)

The bill provides that a school district or charter school must not be a member of, or remit any funds to, a statewide activities association that would require the school to prohibit a student receiving instruction at an FPE school, a home school, or a full-time virtual school from participating in any event or activity offered by the charter school or by the school district in which the student resides or that requires the student to take any class in order to participate in such event or activity.

The bill further provides that a school district or charter school must not prohibit the student from participating in any event or activity offered or require the student to take any class in order to participate in the event or activity.

A school district or charter school may establish an attendance policy for any required coursework, rehearsals, practice sessions, tryouts, or training sessions that are directly related to and required for participation in an event or activity.

A school district or charter school may also require students to participate in components of instruction that are required for participation in fine arts activities, career and technical student organizations, or integrated cocurricular activities.

Any school disciplinary policies and attendance policies will be applied in the same manner to all students who participate in an event or activity. A school district or charter school must not establish a separate disciplinary or attendance policy for students who receive instruction at an FPE school, a home school, or a full-time virtual school.

If a student whose academic performance or disciplinary status would preclude the student from eligibility to participate in extracurricular events or activities disenrolls from school in

order to receive instruction at an FPE school, a home school, or a full-time virtual school, the student will not be eligible to participate in events or activities in the school of the student's disenrollment for 12 calendar months from the date of disenrollment.

The parent of a home school student must oversee any academic standards relating to such student's participation in a charter school or public school event or activity.

The bill provides certain criteria that an FPE school, home school, and virtual school student must satisfy in order to be eligible to participate in charter school or public school activities in their district of residence. For example, the student must provide proof of residency in the district or within the boundaries of the attendance center or charter school in which they wish to participate in charter school or public school activities. The student must adhere to the same behavior, responsibility, performance related to the activity, and code conduct standards as do students who are enrolled in the charter school or school district. Any records created pertaining to an FPE school student, home school student, or a full-time virtual school student will be confidential.

The bill allows schools to create policies that include or exclude FPE, home, and full-time virtual students in other functions of the school outside of athletic, fine arts, and integrated cocurricular.

DECLARATIONS OF INTENT TO HOME SCHOOL (Section 167.042)

The bill modifies a provision authorizing parents to submit a written declaration of intent to home school their child to the recorder of deeds of the county where the child legally resides or to the superintendent of the public school district where the child legally resides. The bill changes the provision to allow for written notification to be provided to the school and then the school shall drop the child from the district rolls.

RECOVERY HIGH SCHOOLS (Section 167.850)

Currently, only public high schools may establish a recovery high school for students diagnosed with substance use disorder or dependency.

This bill defines "sponsoring entity" and includes the Department of Elementary and Secondary Education, magnet schools, charter schools, and public and private schools as entities that may establish a recovery high school.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the Senate Perfected version of the bill.

PROponents: Supporters say that parents are taking on the burden of schooling their children at home and still pay taxes to a school district; they should have the opportunity to participate in the extracurricular opportunities that the district provides. Currently, there is a floor of two required classes and that is often a burden on students as they manage full loads in their home school curriculum. Many students just want an opportunity to participate.

Testifying in person for the bill were Senator Brown; Hunter Wade Arnall; Julia Norton Dotson; Nicole Collins; Sheryl Schmidt, Families For Home Education, Inc.; Cambria Holland; Embry Collins; Oakleigh Steelman; Whitney Holland; Traci Canby; Melisha Meredith; Jennifer Steelman; and Royal Steelman.

OPponents: Those who oppose the bill say that this is unnecessary language and there is no true agreement on what the process should be for home school students to participate. Most families would prefer to be left out of this bill.

Testifying in person against the bill were Family Covenant Ministries.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.