

JAN 24 2013

A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to:

2 (1) Require all home school students to enroll at the
3 public school in the student's service area;

4 (2) Require home school students who are enrolled at the
5 school in their service area to be calculated as
6 per cent of a non-home school student at that public
7 school under the weighted student formula; and

8 (3) Allow home school students, who would otherwise be
9 denied the opportunity to do so, to participate on an
10 equal basis in extracurricular activities offered at
11 public schools.

12 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
13 amended by adding two new sections to be appropriately
14 designated and to read as follows:

15 "§302A- Home school students; enrollment; weighted
16 student formula. (a) A home school student shall enroll with
17 the appropriate public school in the student's service area, as
18 determined by the department pursuant to section 302A-1143.



1 (b) In determining the allocation of moneys to public
2 schools pursuant to section 302A-1303.6, home school students,
3 who are enrolled at the public school in their service area
4 pursuant to subsection (a), shall be calculated as per
5 cent of a non-home school student at that public school under
6 the weighted student formula.

7 **§302A- Home school students; extracurricular activities.**

8 (a) Notwithstanding any law to the contrary, each public
9 school, subject to the requirements of this section, shall allow
10 any home school student to participate on an equal basis in any
11 extracurricular activity offered by a public school.

12 (b) Each private school may allow a student to participate
13 in an extracurricular activity offered by the private school, at
14 the private school's discretion.

15 (c) A public school shall not adopt or agree to be bound
16 by any rule or policy of any organization or association that
17 would prohibit any participation allowed by this section.

18 (d) A home school student's participation in an
19 extracurricular activity through any amateur association or
20 league of which the public school is not a member shall not
21 prevent the student from participating or affect the student's
22 eligibility to participate in the same extracurricular activity



1 at any public school; provided that prior to participating in
2 any extracurricular activity through the amateur association or
3 league, the student shall obtain the express written permission
4 of the principal of the public school at which the student
5 participates in the extracurricular activity, which permission
6 shall be granted if:

- 7 (1) The student's class attendance is not compromised; and
- 8 (2) The student is in good academic standing under the
9 home school's activities policy.

10 (e) Notwithstanding any rule adopted or agreed to by any
11 public school, any home school student who is sanctioned or is
12 found by the public school, or any organization or association
13 to which the school belongs, to be ineligible to participate in
14 any extracurricular activity for any reason, except for
15 unsportsmanlike conduct or ejection from an activity, may appeal
16 the sanction or finding. The appeal shall be made through the
17 applicable process at the school, any league to which the school
18 belongs, or any other organization to which the school belongs.

19 (f) To participate in an extracurricular activity at a
20 public school, a home school student shall meet all of the
21 requirements imposed by the public school, including compliance
22 with:



- 1 (1) All laws governing the activity;
- 2 (2) All eligibility requirements imposed by the public
- 3 school;
- 4 (3) The same responsibilities and standards of behavior as
- 5 are imposed on other students participating in the
- 6 activity at the public school; and
- 7 (4) The payment of all required activity-related fees;
- 8 provided that these fees shall not be greater than the
- 9 fees paid by a public school student for the same
- 10 extracurricular activity.

11 (g) As used in this section, "extracurricular activity"
12 means a school-authorized or education-related activity
13 occurring during or outside the regular instructional school
14 day, including but not limited to sports, cheerleading, music,
15 band, clubs, driver's education, and after-school programs.

16 (h) The department shall adopt rules pursuant to chapter
17 91 to administer and implement this section."

18 SECTION 3. Section 302A-101, Hawaii Revised Statutes, is
19 amended by adding two new definitions to be appropriately
20 inserted and to read as follows:

21 "Enroll" means to formally place a student on a public
22 school's roll.



1 "Home school" means the sequential program of instruction
2 for the education of a child which:

- 3 (1) Takes place in a home;
- 4 (2) Is provided by the child's parent or guardian or by an
5 adult relative of the child designated by the parent
6 or guardian;
- 7 (3) Is not under the supervision and control of a public
8 school;
- 9 (4) Is not intended to be and does not qualify as a
10 private and nonprofit school or a new century charter
11 school; and
- 12 (5) Is subject to any rule adopted by the department under
13 chapter 8-12, Hawaii Administrative Rules ("compulsory
14 attendance exceptions"), relating to home schooling."

15 SECTION 4. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: _____

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S.B. NO. 922

Report Title:

Home School Students; Enrollment; Weighted Student Formula;
Extracurricular Activities

Description:

Requires all home school students to enroll at the public school in the student's service area. Requires home school students who are enrolled at the school in their service area to be calculated as an unspecified per cent of a non-home school student at that public school under the weighted student formula. Allows home school students to participate in any extracurricular activities offered by a public school. Amends section 302A-101, HRS, to add definitions for "enroll" and "home school".

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

