

## ORS 339.460 Home School Authorization to Participate in Interscholastic Activities

(1) Home school students shall not be denied by a school district the opportunity to participate in all interscholastic activities if the student fulfills the following conditions:

(a) The student must meet all school district eligibility requirements with the exception of:

- A. The school district's school or class attendance requirements; and
- B. The class requirements of the voluntary association administering interscholastic activities.

(b)(A) The student must achieve a minimum score on an examination from the list adopted by the State Board of Education pursuant to ORS 339.035 (by August 15<sup>th</sup>). The examination shall be taken at the end of each school year and shall be used to determine eligibility for the following year. The minimum, composite test score that a student must achieve shall place the student at or above the 23<sup>rd</sup> percentile based on national norms. The parent or legal guardian shall submit the examination results to the school district; or

(B) A school district may adopt alternative requirements, in consultation with the parent or legal guardian of a home school student, that a student must meet to participate in interscholastic activities, including but not limited to a requirement that a student submit a portfolio of work samples to a school district committee for review to determine whether a student is eligible to participate in interscholastic activities.

(c) Any public school student who chooses to be home schooled must also meet the minimum standards as described in paragraph (b) of this subsection. The student may participate while awaiting examination results.

(d) Any public school student who has been unable to maintain academic eligibility shall be ineligible to participate in interscholastic activities as a home school student for the duration of the school year in which the student becomes academically ineligible and for the following year. The student must take the required examinations at the end of the second year and meet the standards described in paragraph (b) of this subsection to become eligible for the third year.

(e) The home school student shall be required to fulfill the same responsibilities and standards of behavior and performance, including related class or practice requirements, of other students participating in the interscholastic activity of the team or squad and shall be required to meet the same standards for acceptance on the team or squad. The home school student must also comply

with all public school requirements during the time of participation.

(f) A home school student participating in interscholastic activities must reside within the attendance boundaries of the school for which the student participates.

(2) As used in this section:

'Board' means the State Board of Education.

(b) 'Home school students' are those children taught by private teachers, parents, or legal guardians as described in ORS 339.030.

(c) 'Interscholastic activities' includes but is not limited to athletics, music, speech, and other related activities.

### OSAA Eligibility - Home School Students

- A. Compliance with Oregon statutory requirements. In order for a home school student to represent an OSAA member school in competition, the student must satisfy all relevant requirements included in the home school statutes (ORS 339.030, ORS 339.035, ORS 339.460) including but not limited to the following:
  - B. Notification of Intent to Home School. The home school student shall notify the local education service district (ESD) within ten days of withdrawal from the public school and prior to the first day of the school year.
  - C. Meet school district eligibility requirements. The home school student shall meet all school district eligibility requirements with the exception of:
    1. The school district's school or class attendance requirements.
    2. The OSAA academic eligibility requirements.
  - D. Meet school district responsibilities and standards of behavior and performance. The home school student shall be required to fulfill the same responsibilities and standards of behavior and performance, including related class or practice requirements, of other students participating in the interscholastic activity of the team or squad and shall be required to meet the same standards for acceptance on the team or squad. The home school student also shall comply with all school requirements during the time of participation.
  - E. Academic eligibility (Testing) requirement. In lieu of satisfying the OSAA academic eligibility requirements, the home school student shall achieve a minimum score on the achievement test required annually at the end of the school year (by August 15) of all home school students wishing to participate in activities. The

minimum, composite test score as determined by the State Board of Education is the 23<sup>rd</sup> percentile. The score is used to determine eligibility for the following school year.

The statute also allows a school district to adopt an alternative requirement to a test, such as submission of a portfolio of work samples to a school district committee for review to determine whether a home school student is eligible to participate in interscholastic activities.

- F. Effect of academic ineligibility. Any home school student who has been unable to maintain academic eligibility prior to transferring to a home school shall be ineligible to participate in interscholastic activities as a home school student for the duration of the school year in which the student becomes academically ineligible and for the following year. The student may take the required tests at the end of the second year and, upon meeting the minimum test score standards described in E. above, becomes eligible for the third year.

Compliance with OSAA deadlines and regulations. In addition to satisfying the Oregon statutory requirements summarized above, a home school student wishing to participate representing a member school must satisfy the following OSAA deadlines and regulations:

- A. Deadlines.
  1. Notification of Intent to Home School. The home school student shall notify the local ESD prior to the first day of school of the public or private school at which the student is eligible to participate in order to represent that school during that school year.
  2. Testing. The home school student must have taken the annual test on or before August 15 in order to participate in OSAA activities during the following school year. The student may participate while awaiting test results.
  3. Transfer. A transfer by a student to a home school is considered to have taken place "in between school years" if the transfer occurs prior to the first day of school of the public or private school at which the student is eligible to participate.
- B. Other OSAA regulations. Other OSAA regulations are summarized below. (Please refer to the "Rules" section of the OSAA Handbook for more detailed explanation including questions and answers regarding the regulations.)
  1. School representation (Rule 8-5-1 a). A home school student is eligible to represent only a

public or private school located within the public school attendance boundaries of the joint residence of the student and student's parents.

2. Transfer student eligibility (Rule 8-6-3). If the transfer to the home school occurs in between school years, the student is immediately eligible at the beginning of the school year. If the transfer to the home school occurs during the school year, the student is ineligible for the remainder of that school year.
3. Duration of eligibility/eight semester rule (Rule 8-2). A student may participate in interscholastic activities for four consecutive years or eight semesters after entering the 9<sup>th</sup> grade.
4. Age restrictions (Rule 8-3). A student who becomes nineteen before August 15 is ineligible for interscholastic competition. A student who becomes nineteen on or after August 15 remains eligible for that entire school year.

- C. No appeal is available for a student who does not satisfy Oregon statutory or regulatory home school requirements. Unlike most OSAA rules, which have been created by the member schools to govern themselves, most OSAA home school requirements are based upon statutes adopted by the Oregon legislature and regulations implemented by the Oregon Department of Education. The OSAA does not have the authority to make exceptions to those statutes or regulations. Except where the denial of eligibility is based upon Oregon Statutory or regulatory requirements, the District Athletic Committee may in individual cases, at its discretion, waive or modify the eligibility rules regarding transfers involving home schools when in its opinion there are circumstances beyond the control of both the student and the student's parent(s) or other circumstances whereby enforcement of the rule would work an undue hardship upon the student.

## Questions and Answers

**Q.** If a home school student's parents reside in School A's attendance area and the student's parents move to School B's attendance area, how does this affect the eligibility of the student?

**A.** *The home school student would be eligible only at school B.*

**Q.** If a home school student's parents reside in a public school district that also has a private school within its attendance boundaries, may the home school student represent either the public or the private school?

**A.** *Yes. But once a choice is made, then the home school student would be governed by the regular transfer rule, i.e., if the home school student wished to represent another school within the district where the home school student's parents reside, the home school student would be ineligible for one (1) calendar year after representing the first school.*

**Q.** If there is more than one (1) private school within the public school boundaries where a home school student's parents reside, which private school may the home school student represent?

**A.** *The home school student may represent any of the private schools, but only one (1). Once the choice is made, the home school student then is governed by the regular transfer rule if the home school student wishes to represent a different private school within the attendance boundaries.*

**Q.** If a home school student's parents reside in a public school district that has no private school within its attendance boundaries, may the home school student represent a private school in an adjacent public school district?

**A.** *No. If there is no private school within the public school attendance boundaries in which the home school student's parents reside, the home school student may only represent the public school within whose attendance boundaries the home school student's parents reside.*

**Q.** May a home school student whose parents reside within a multiple high school district select the high school he or she wishes to attend?

**A.** *No. The home school student is eligible only at the public school within whose attendance boundaries the student's parents reside, or at a private school located within those same attendance boundaries.*

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# OSAA GUIDELINES:

## ELIGIBILITY FOR HOME SCHOOL STUDENTS



This brochure contains some of the key Oregon Revised Statute and OSAA rules dealing with home school student eligibility. However, it does not contain all Oregon Revised Statutes or OSAA eligibility rules and it is not intended as a replacement for the OSAA Handbook. If you have questions about the rules in this brochure, or have questions about a situation not covered by these rules, please contact an OSAA staff member for clarification.

Parents and/or guardians have the responsibility to know and understand Oregon Revised Statutes, all laws, and OSAA policy that may pertain to eligibility of home school students. Information about Home School Law can be found on the Oregon Department of Education website located at:

<http://www.ode.state.or.us/cifs/homesch/99homeschlaws.htm>