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■ *'We at Douglas High School don't owe home schoolers anything. They did not choose us.'*

Susan Baldwin, co-interim principal at Douglas High

Douglas to let home school students play school sports

Principals protest: Some say decision will be added burden.

By Shella Gardner
RENO GAZETTE-JOURNAL

Home school students in Douglas County will be eligible to play high school sports on a space available basis as long as they meet the same eligibility requirements as public school students and take accredited courses.

School district trustees voted 5-2 Tuesday to allow home school students to participate over the objections of secondary school principals who said the inclusion would be unfair to students who are committed to public schools.

"Participation in high school sports allows home school students to be freeloaders without making any contribution," said Susan Baldwin, co-interim principal at Douglas High School.

"We at Douglas High School don't owe home schoolers anything. They did not choose us," Baldwin said. "We owe the 1,490 students who chose us. We should be spending our resources on the students and parents who made us their choice."

Assistant Superintendent Rich Alexander told the board home school students are allowed to participate in

high school sports in Washoe, Elko and Clark counties. Each county reported that no more than five students were involved.

Some principals said monitoring home school student grades and course-work would be a burden.

"We have 600 kids in high school sports," Trustee Jim Keegan said. "You're talking maybe six home school kids might participate. Don't tell me the extra workload is going to overwhelm this terrific staff we have."

Trustee David Brady said he could not support the inclusion of home school students because each child who is not enrolled costs the district \$5,000 in state funds.

"Even if we only had five or 10 students participate, that is a \$50,000 decision," he said. "I believe education is about choice and these parents made a choice. They can't pick and choose."

Secondary principals recommended home school students be excluded from sports regulated by the Nevada Interscholastic Activities Association. The NIAA, which previously banned home school student participation, passed a regulation in June allowing school districts to set their own policy.

Douglas County school officials estimate 57 of the district's 214 home school students would be eligible for high school sports.

See **SCHOOL** on 6C

ASSEMBLY EDUCATION
DATE: 4/17/03 ROOM: 3143 EXHIBIT AA
SUBMITTED BY: NV HomeSchoolers Assn. cont. p. 2

AA 1/10

School/Students must be enrolled in programs

From 1C

Trustees voted 4-3 to restrict participation to space available after public school student try-outs.

Trustee John Louritt voted against the distinction.

"I haven't given up on getting home school students back in the district," he said.

Superintendent John Soderman said if a team's roster is filled by enrolled students, home school students would be excluded.

Marco Alcalde, father of a

home school student, said when he was a student athlete, he expected to be eliminated by superior athletes.

"Not once would I have ever thought it was wrong if a better athlete knocked me off a team no matter where they came from," he said.

Home school students must be enrolled in programs that meet the district's accreditation standards. That recommendation followed a report by Frankie McCabe, director of special services, that after the first year parents don't have to place their children

in an approved correspondence program and most chose that option.

Principal Robbin Pedrett of Pau-Wa-Lu Middle School said she was concerned that more students would opt for home schooling if they can participate in sports.

"We like kids, but we work for the kids in our system," she said. "More students would opt out as their responsibilities were lowered. Why would they chose to stay in the public school if they have all the benefits anyway?"

From: ELucasandM@aol.com
Date: Wed, 2 Apr 2003 00:56:09 EST
Subject: Re: A.B. 311
To: AllenSanders3@aol.com

Hi Gail:

Here is the history of Mike and our "High Sierra Homeschool Cross Country Running Team."

When we first decided to homeschool our son, Mike, he was in the sixth grade. This was in 1998, the year my girl's cross country team at Douglas High School won the Nevada State Championship. I had been coaching at Douglas since the late 1980's. At that time I asked about his eligibility to participate in sports when he reached high school. I was assured that it would be okay if it were okay with the coach (I was the coach at the time for the cross country team and it would be quite okay with me!) and the school district, not realizing that the district would have a problem with allowing homeschoolers an equal opportunity to participate.

When Mike was in seventh and eighth grade, I took him to the Middle School Cross Country Championships where I asked if he could run. He was not allowed to run officially and had to stop before going through the finish chute. Many of the coaches were very supportive and invited Mike to participate in any invitational track or cross country meets.

I was still coaching when Mike was going to be starting his freshman year as a homeschooler in the fall of 2001. I found out that he would not be allowed to participate on my team according to the NIAA and the Douglas County School District. At that point, I resigned from my coaching position at Douglas High in order to provide an opportunity for my son and other homeschoolers to be part of a cross country team. I had sixteen wonderful students, mostly from Douglas County, with two from Carson and one from Reno. All were homeschooled except for three who were sixth graders at the public elementary school who also wanted an opportunity to run. Sixth graders at many of the area schools are able to participate, while Carson Valley sixth graders do not have the opportunity.

We had practice daily and went to meets about once a week. The coaches and parents were always very encouraging and supportive. Most of them were not aware that homeschoolers were banned from participation and thought it most unfair and discriminatory. When we went to the Championship meet, we created our own, separate finish chute as we were not allowed to cross the league sanctioned finish line, much to the surprise of the spectators who couldn't understand why we were going the wrong way; most expressed amazement that the runners were banned.

I found out in June of 2002 that the NIAA had changed their policy to allow homeschoolers to compete on sports teams. I didn't realize at that time that the school district had to approve it. I encouraged the homeschoolers to go to practice and participate at Douglas High. When they showed up to the first practice with all the forms required by Douglas High for any other student, they were turned away, saying it had not been approved and they could not work out with the team until approved.

Other parents and I were both surprised and appalled that our children would again be banned. Not only were they banned from the beginning of the season, but the matter would not even be put on the meeting agenda of the Douglas County School Board until November and then not approved until the December 15th meeting. By that time, it was not only too late for the fall sports, but also for the winter sports. Then we found out that there were actually only four sports that homeschoolers would even be allowed to participate in because of "space available" for the entire year, including cross country, football, swimming and track and field.

Not only were the sports available incredibly limited, but the requirements for testing were vague and the homeschooling options limited to approved correspondence courses. The administration has made it very difficult for homeschoolers to be eligible, even if they are top students.

I feel that the whole process has been incredibly discriminatory and wrong. I think that all students in our district should be allowed equal opportunities.

Ellen Lucas
725 Bowles Lane
Gardnerville, NV 89460

AA 3/10

2 February, 2003

Dr. Jerry Hughes
NIAA Executive Director
1 Liberty Suite 505
Reno, NV 89501

Dear Dr. Hughes:

I am writing to you on behalf of my son, Jonathan Dunbar, and the question of his athletic eligibility during the fall 2002 season. You received a letter dated January 16th from Douglas High School Athletic Director Steve Wilcox declaring Jonathan was ineligible to participate in boy's soccer. We categorically deny this claim and urge the NIAA not to declare the two referenced games as forfeits.

During the fall 2002 school year, Jonathan was a tenth grade student at Douglas High School while playing on the varsity soccer team. During Jonathan's ninth grade year (fall 2001, spring 2002) he was registered with the Douglas County School District (DCSD) as a home school student, and his application was approved by its governing school board. Both the Nevada Revised Statutes and the Nevada State Board of Education recognize and acknowledge the home school parent as the teacher of that student and therefore responsible for curricular decisions, and in most cases, grades.

In the fall of 2001 as a ninth grade student, Jonathan took five courses: Journalism at Douglas High, Chemistry 101 at Western Nevada Community College, Music/Piano, English Grammar/Composition and Algebra II at home. He earned an "A" in all five classes.

In the spring of 2002 Jonathan took five courses: Visual Basic Programming at WNCC, Journalism at Douglas High, Algebra II, Classic Literature and Music/Piano at home. Again, he earned an "A" in all five classes.

Just for the record, during the fall 2002 semester Jonathan took four classes at Douglas High School and two correspondence courses from UNR. He earned three "A's" and one "B" from DHS and is completing the UNR courses this month.

Interestingly, prior to the week of January 13, 2003, Douglas High School never requested any grade verification or transcripts for Jonathan's ninth grade academic work. It was during the last week of the school semester that Michael Caughlin, DHS counselor, contacted my wife and asked for this information. When we asked why, Mr. Caughlin explained that Mr. Casey (Roy Casey, DCSD Assistant Superintendent) was asking to get this information. While in the process of gathering this information, we abruptly and surprisingly received Mr. Wilcox's letter. The requested course work and grade information is enclosed.

Clearly our family has met every legal and statutory requirement of home school students set forth by the both the Nevada Revised Statutes and the Nevada Administrative Code. Additionally, Jonathan has met the supposed four-course requirement of the NIAA. Unbelievably, Mr. Wilcox would have you rule that a clerical error (not entering Jonathan's class information into the file) on the part of Douglas High School should result in Jonathan being declared ineligible and two forfeits being imposed. This request seems very unusual to me!

AA 4/10

After attending a number of NIAA and DCSD board meetings myself, it is clear to me there are strong emotions on the issue of home school students participating in high school athletics. However, in December 2002 the DCSD Board of Trustees voted (5 to 2) to clearly support the participation of home schooled students in athletics. Prior to the decision, a number of DHS administrators, including Steve Wilcox and Susan Baldwin, strongly voiced their opposition to accepting home school students into the athletic programs at DHS. Mr. Wilcox freely states that, in spite of the Douglas School Board's directive, the Douglas High School Athletic Department is adamantly opposed to allow home school students to participate in athletics. Based on the situation, one could conclude that the DHS Administrators intentionally limited their effort to verify our son's eligibility.

I suggest we seek answers to the following questions:

1. Why would school administrators prepare, and send, such a letter to the NIAA without having contacted the student, the parents, or the legal teacher(s) in advance to discuss the coursework and eligibility concerns?
2. Why would Douglas High School administrators be so adamant about wanting to forfeit two games that ultimately had no bearing on the season of the three schools involved? What leads these administrators to believe Nevada's students and high school athletes' benefit from such a request?
3. Why would Roy Casey, the Assistant Superintendent of Douglas County School District, actively involve himself in this matter during the last week of the school semester? And, why was the DHS counselor, Michael Caughlin, not copied on the January 16 letter?
4. Finally and most importantly, did Jonathan Dunbar clearly meet the DCSD and NIAA requirements for eligibility?

Sadly, it appears my son is being used as political ammunition in an emotional and ugly situation. The battle continues between Douglas Administrators and the Douglas County School District Board of Trustees over the issue of home school student participation in athletics. The 16 January letter from Mr. Wilcox clearly raises concerns over motives and appears to be a maneuver to position and use the NIAA in this battle.

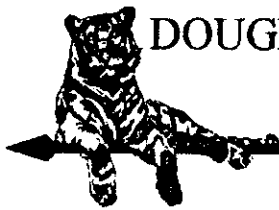
With the foregoing, I respectfully request the NIAA to declare that Jonathan Dunbar was an eligible participant in the fall 2002 soccer season, and subsequently that the Douglas High School request for forfeitures be denied. I thank you for your time and consideration and look forward to your response.

Sincerely,

Marco Alcalde & Maika Dunbar-Alcalde

Cc: Steve Wilcox
John Soderman
Susan Baldwin
Phil Sheridan
David Brady

AA 5/10



DOUGLAS HIGH SCHOOL ATHLETIC DEPARTMENT

Proud of the past, committed to the future

Box 1888 · Minden, NV · 89423 • 775.782.5136 · fax: 775.782.7039

January 16, 2003

Dr. Jerry Hughes
Executive Director
NIAA

Re: Jonathan Dunbar

Dear Jerry:

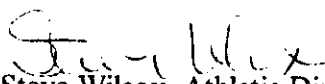
I am writing to inform you of the participation of an ineligible player during this past Boys Varsity Soccer season. The player in question, Jonathon Dunbar, was a home-schooled student the previous school year, as a ninth grader. One of the counselors at Douglas High School allowed Jonathon to enroll for the tenth grade without a copy or verification of a transcript for the previous year. When the Athletic Department ran a grade exception program prior to the start of fall athletics, Jonathon's name didn't appear, due to the fact that the program only lists those student's name who have received one or more "F's" or below a 2.0 GPA the previous semester. Since the discovery of this occurrence we have re-programmed the software to also print the name of anyone who was not enrolled in a minimum of four classes.

With the submittal of this information, Douglas High School would request that any victorious Varsity games that Jonathon participated in, be recorded, from this time forward, as a forfeit. Included with this letter are copies of the score sheets from the games in which Jonathon participated. The games we are forfeiting include the October 9 game vs Wooster, and the October 23 game vs Spanish Springs.

Although this situation is unfortunate, it served as a wake-up call to a situation that now is more likely to re-occur with the advent of school boards in most school districts allowing home schoolers to participate, something which the Douglas High School Athletic Department is adamantly opposed to.

In closing, let me state that in the future, we will do everything in our power to ensure that this situation does not re-occur. Thank you for your time and understanding in this matter.

Sincerely,


Steve Wilcox, Athletic Director

SW: cr

cc: John Soderman
Susan Baldwin
Phil Sheridan
Mr. & Mrs. Alcade
David Brady

Susan Baldwin · Principal · Athletic Administrator · Tom Morgan · Principal · Steve Wilcox · Athletic Director
Cathy Rahe - Secretary

AA 6/10

From: MarcoJAl@aol.com
Date: Fri, 21 Feb 2003 01:19:48 EST
Subject: Re: Notification of Intent to Homeschool form
To: FandR@semp.net, AllenSanders3@aol.com

Hi Frank, I have a few items to share with you regarding Iani's situation, and the letter we sent out. (Before I forget, there was no attachment to this email)

We sent the letter exactly as you last saw it. There has been no direct feedback from any of the recipients prior to a conversation yesterday with Susan Baldwin. She expressed displeasure with my portayal of her position on the issues. She also expressed an interest to get our good friend Roy Casey involved in the discussion so we could "clear up" any misunderstanding.

In addition, we just went through Iani's exclusion from Baseball at DHS. He had been practicing with the team since he was enrolled at DHS last semester. The AD (Steve Wilcox) found out Iani was practicing and told the coach he could not play. The reason given was that there is no SPACE AVAILABLE. So, I scheduled a meeting with Susan Baldwin yesterday to find out how and when they determine when there is Space Available.

The Board of Trustees (against their initial strong rejection at the meeting in Tahoe to this issue) agreed to a "Space Available" concept in their acceptance of having Home School Students participate in Sports. They left the actual definition for "Space Available" up to the district administration. The district essentiall equate it to "Cut Sports".

The district administration formed a committee to draft the definition which included only school administrators (no home school representation). The definition goes as follows:

..."Space Available" for participation in sports means: a coach in conjunction with the athletic director and/or the building principle will determine, annually, the approximate number of participants to be carried on an activity roster. If the number of public school stundents WISHING to tryout exceeds the approximate number of participants, then there is no space available for home school students to participate. If there are fewer public school students that wish to tryout than the approximate number of participants to be carried on the roster, then space will be available for home schoold students. If home school students are allowed to try out for an activity, then they must meet the "Guidelines for Participation" if they are chosen to participate in the activity....

So, when and how "Space Available" is determined is completely fouled up...if discrimination is involved. Essentially...before tryouts, before the coaches look at the interested players to decide who is capable of participating, and before eligibility is determined...they decide there is no space available. Sounds WAY FISHY too me.

I spoke with Keith Roman and he said the board voted 4 to 3 to accept the space available concept. He said he agreed that the definition is not what he had intended...however, he seemed reluctant to fight it.

All in all Frank...the LAW will need to be changed in order to FORCE these people to accept home school students as equal participants.

I'll look over the first PDF you sent and make comments to Gail.
Marco



Nevada Interscholastic Activities Association
1 East Liberty Street, Suite 505 • Reno, NV 89501
(775) 688-6464 • Fax (775) 688-6466

Dr. Jerry Hughes, Executive Director
Mr. Bill Garis, President

April 7, 2003

Assembly Committee on Education

Dear Committee Members:

The Nevada Interscholastic Activities Association has been set up through Nevada Revised Statutes 81.170-81.280 and was reorganized in 1974 under the provision of NRS 386.420-386.470, to organize and regulate high school athletics in the state of Nevada. Since the last legislative session we have researched the home school regulations of neighboring states. Based on that review the enclosed regulation was adopted by the NIAA Board of Control to permit home school students the opportunity to participate in athletics in our member schools.

Based on this information we do not feel that AB311 is necessary.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry A. Hughes".

Jerry A. Hughes, Ed.D.
Executive Director

JAH/ni

AA 8/10

NIAA REGULATION

2070.0810 Home School Students

Following the guidelines set forth by Nevada Revised Statutes 392.070, home school students are eligible for athletics in the public school based on the following criteria:

1. *The student must reside with a parent or guardian in the attendance area of the school for which the student will participate.*
2. *The student must comply with the same rules and requirements that apply to any student's participation in the same activity.*
3. *The student must achieve a minimum composite score or survey test score within the average or higher than average range as established by the test service utilized on any nationally normed test. This test must be taken annually and must be taken before the student is eligible in any NIAA competition.*
4. *It shall be the responsibility of the student and/or his parent(s) or legal guardian(s) to make all arrangements to take the required annual test and provide the principal of the school with the results of the test prior to being granted athletic eligibility at the public high school.*
5. *The parent or supervisor of the home school program must submit a three-week grade check as required by all student athletes. This check will be administered through the public school athletic department.*
6. *A member school student who is academically ineligible and withdraws from school to gain athletic eligibility will be ineligible for the duration of that school year and the following academic year.*
7. *Schools will assess a \$100.00 per sport participation fee for each home school student.*
8. *Home school students will meet all other NIAA requirements regarding citizenship, code of conduct, etc.*

AA 9/10

NUMBER OF HOME SCHOOL PARTICIPANTS FOR THE 2002-2003 SCHOOL YEAR

n/r _____ Austin	1 _____ Green Valley	0 _____ Reed
1 _____ Basic	1 _____ Hug	0 _____ Reno
n/r _____ Battle Mountain	0 _____ Incline	n/r _____ Rite of Passage
n/r _____ Beatty	n/r _____ Independence	n/r _____ Round Mountain
n/r _____ Bishop Gorman	n/r _____ Indian Springs	n/r _____ Sage Ridge
0 _____ Bishop Manogue	n/r _____ Jackpot	n/r _____ Sierra Lutheran
0 _____ Bonanza	0 _____ Keystone Academy Charter	1 _____ Sierra Vista
n/r _____ Boulder City	n/r _____ Lake Mead Christian Academy	n/r _____ Silver Stage
n/r _____ Calvary Chapel Christian	1 _____ Las Vegas	n/r _____ Silverado
n/r _____ Carlin	n/r _____ Laughlin	0 _____ Smith Valley
1 _____ Carson	n/r _____ Legacy Christian	1 _____ South Tahoe
n/r _____ Centennial	n/r _____ Lincoln County	0 _____ Southern Nevada Vocational Technical Center
0 _____ Chaparral	2 _____ Lowry	0 _____ Spanish Springs
0 _____ Cheyenne	0 _____ Lund	0 _____ Sparks
1 _____ Churchill County	n/r _____ McDermitt	0 _____ Spring Creek
n/r _____ Cimarron-Memorial	0 _____ McQueen	0 _____ Spring Mountain
1 _____ Clark	n/r _____ The Meadows	n/r _____ Tonopah
n/r _____ Coleville	0 _____ Mineral County	n/r _____ Trinity Christian
n/r _____ Coronado	n/r _____ Moapa Valley	n/r _____ Truckee
0 _____ Dayton	0 _____ Mojave	n/r _____ Valley
0 _____ Desert Pines	n/r _____ Mountain View Christian	n/r _____ Virgin Valley
1 approved _____ Douglas	0 _____ Needles	n/r _____ Virginia City
1 denied _____	n/r _____ New Hope Christian Academy	0 _____ Warren-Walker Upper
n/r _____ Durango	0 _____ North Tahoe	n/r _____ Wells
0 _____ Eldorado	1 _____ North Valleys	n/r _____ West Wendover
1 _____ Elko	0 _____ Owyhee	n/r _____ Western
n/r _____ Eureka	0 _____ Pahrnagat Valley	0 _____ White Pine
0 _____ Faith Lutheran	n/r _____ Pahrump Valley	0 _____ Whittell
0 _____ Fernley	n/r _____ Palo Verde	0 _____ Wooster
0 _____ Foothill	0 _____ Pershing County	0 _____ Yerington
n/r _____ Gabbs	n/r _____ Pyramid Lake	
0 _____ Galena	n/r _____ Rancho	
0 _____ Gerlach		

14 Home School students participate in sports.

n/r = no response to survey

AA 10/10