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Testimony for A.B.311

on April 7, 2003

before the Assembly Education Committee
addressing Sections 4, 6 and 9

My name is Gail Allen and I live in Douglas County. I am a homeschooling parent. Our son, Duke Sanders, is in 9th grade.

In the fall of 2001 we learned of a homeschool Cross Country running team forming in Douglas County. Duke began to run with this team and we learned that the team was ineligible to officially compete in Nevada Interscholastic Athletic Association approved events. We were allowed to attend invitational events but not Conference meets. When the team attempted to participate in the Zone meet, we were told that our students could run the course but not cross the finish line. Our coach set up an alternate finish line to allow our team members to get an accurate time on their race. As our team members came towards the finish line they veered to the left instead of the right. Other spectators were yelling, "You're going the wrong way!" How very accurate. The spectators, mostly parents, were surprised that the homeschooled students were not allowed to compete and finish this event.

Currently, there are athletic teams from Arizona that participate in NIAA events. Arizona has a law allowing homeschoolers full participation in interscholastic activities. Arizona homeschoolers already have the right to participate in Nevada athletics but homeschoolers resident in Nevada are denied this participation in many school districts.

Early in August we learned that the NIAA had changed their guidelines in June regarding homeschool students participating in sports. We contacted Douglas High School in August to ask what we needed to do in order for Duke to participate with Cross Country team. The Athletic Director was unaware of the NIAA changes. When the District Administration was contacted they said that they would review the changes and let us know what needed to be done. On September 24th, I spoke again with a District Administration representative and asked what was being done to implement the NIAA's June guideline changes. I was told that the Administration was working on the details. No homeschoolers were to be included in this process. They assured me that all homeschoolers would receive notification by letter of their decision. No letter was ever received.

In October, interested homeschoolers and their parents, including our son, Duke, and I spoke to the Douglas County School District Board of Trustees during the Public Comment session about the change in NIAA guidelines. At the November 12th Board meeting this item was on the agenda. At this time the District Administration's recommendation was to completely deny any participation by homeschool students in athletics. The Board of Trustees asked for more information and tabled this item until the December 10th meeting.

At the December 10th meeting the District Administration again adamantly opposed allowing homeschoolers participation in athletics. Their position was that they didn't "owe us anything" and that we were "freeloaders". After vigorous discussion, the Douglas County School District Board of Trustees voted to allow homeschoolers to participate in athletics but with numerous additional restrictions.

The DCSD Guidelines for Participation include several inequities. First, the homeschool student must comply with the same rules and requirements that apply to any student participating in

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SUBMITTED BY: GAIL ALLEN

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athletics AND be using a correspondence program approved by the Nevada State Board of Education and/or an accredited institution. There are five (5) legal options that can be used to homeschool a child in Nevada. Option D, using a correspondence course, is only one of the five options. Option C is when a parent qualifies for a teaching license in Nevada and Option E is if a parent hires a licensed teacher to teach the child. None of the other four (4) legal options is acceptable in the DCSD. To allow only one (1) of the legal options for homeschooling to be accepted for athletic participation by the School District and deny the other four is discriminatory. Section 9 of A.B.311 specifically addresses this issue.

The homeschool student is required to achieve a minimum composite test score within the average or higher than average range. Students attending the public school do not have to achieve any specific score whatsoever in order to participate in athletic programs. Our son took the DCSD Achievement Level Tests. When I asked what the "cutoff" score he needed to receive in order to "pass" the test, I was told, by the Co-Principal, that she didn't know. They only determined the minimum score needed AFTER my son took their test.

Under current NIAA and DCSD guidelines a student in the public school who transfers schools shall be academically ineligible to participate in athletics for the duration of that school year. If a student withdraws from public school to homeschool, they are academically ineligible for the duration of that year AND the following year. This adds an additional year of penalty to the homeschool student. This is inequitable and punitive treatment. Section 6 of A.B.311 corrects this inequity.

The NIAA and DCSD guidelines assess a \$100 per year sport participation fee. We have been assessed a \$25 testing fee to take the DCSD Achievement Level Test, the \$100 participation fee, and informed that there is a \$200 uniform deposit requirement for our son, Duke, to run on the Track team. NO OTHER STUDENT is required to pay ANY of these fees. We pay the same percentage of taxes and yet are being "taxed" again with a "User's Fee" that is only applied to SOME of the user's. This is discriminatory and inequitable.

In additions to the restrictions and fees I have already mentioned, the sports in which a homeschool student may participate in the DCSD are limited to "space available". The Administration has interpreted the term "space available" to be the four (4) "no-cut" sports of Cross Country, Track, Swimming and Football at Douglas High School. All sports that have try-outs, called "cut-sports", have been pre-determined by the administration to have NO SPACE AVAILABLE. Our son wished to try-out for baseball but was denied the ability to come to workouts or try-outs. Baseball, basketball, golf, tennis, skiing, softball, volleyball, soccer, and wrestling are all unavailable to homeschool students at Douglas High School.

Today I come before you to ask that you do the right thing. We pay our taxes and we are educating our son legally and according to the laws of the State of Nevada. I am not here to discuss politics or even philosophy. What this law will do is allow kids to participate fairly and equitably in athletics throughout the State of Nevada. Please approve Assembly Bill 311. Thank you.

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