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ASSEMBLY COMMITTEE ON EDUCATION



WORK SESSION DOCUMENT

April 9, 2003

Prepared by

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ASSEMBLY EDUCATION
DATE: 4/9/03 ROOM: 3143 EXHIBIT 0
SUBMITTED BY: CAROL STONEFIELD

TAB

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Sponsor: Assemblyman Knecht et al.

Assembly Bill 311 provides that homeschooled children may participate in interscholastic activities. It also requires school districts to expend certain money for homeschooled children who receive special education from the school district.

Proponents: Homeschooled children have been denied participation in sports and other extracurricular activities. Yet, homeschooled children who reside in Arizona are allowed to participate in Nevada Interscholastic Activities Association events. Homeschooled children have also been denied special education services for which their children are eligible under federal law.

Opponents: Students who participate in interscholastic activities are considered representatives of their schools. If a homeschooled child does not attend the school, he or she cannot be a representative of that school. Some school districts assess a fee for homeschooled children to participate in activities.

Fiscal Impact: Local Governments: yes
State Government: no

Proposed Amendments: Note: Washoe County School District submitted amendments. The sponsors of the bill indicated that they and the opponents would meet to attempt to reach consensus on amendments, which they would submit to the Committee at its work session.

**Suggested Friendly Amendments
Assembly Bill 311**

Washoe County School District

**Proposed on behalf of the Board of Trustees by Dotty Merrill
Senior Director—Public Policy, Accountability & Assessment**

Assembly Education, April 7, 2003

Section 3, page 2

Amend out entire section

The Open Meeting Law, as contained in NRS 241, requires that actions to be taken by the board of trustees must be agendized with sufficient detail so that the families of homeschooled children will know when issues of interest to them will be considered:

NRS 241.020 Meetings to be open and public; notice of meetings; copy of materials; exceptions. [Effective January 1, 2003.]

1. Except as otherwise provided by specific statute, all meetings of public bodies must be open and public, and all persons must be permitted to attend any meeting of these bodies. Public officers and employees responsible for these meetings shall make reasonable efforts to assist and accommodate physically handicapped persons desiring to attend.

2. Except in an emergency, written notice of all meetings must be given at least 3 working days before the meeting. The notice must include:

(a) The time, place and location of the meeting.

(b) A list of the locations where the notice has been posted.

(c) An agenda consisting of:

(1) A clear and complete statement of the topics scheduled to be considered during the meeting.

(2) A list describing the items on which action may be taken and clearly denoting that action may be taken on those items.

In addition and in further accordance with NRS 241, the family of homeschooled children may request that an agenda of the meeting of the board of trustees be mailed to them at least 3 working days before the meeting. This request must, however, be renewed each 6 months. If the family believes that a violation of NRS 241 has occurred, that alleged violation of the Open Meeting Law should be reported to the office of the Attorney General.

Amending out this entire section will save all school districts the projected fiscal costs to accomplish the notification tasks as originally proposed.

Section 4, page 3

NRS 392.070(3) as written, provides that the parent or guardian of a student who receives instruction at home may participate in an extracurricular activity, excluding sports, at a public school if:

(a) Space for the child in the class or extracurricular activity is available; and

(b) The parent or legal guardian demonstrates to the satisfaction of the board of trustees that the child is qualified to participate in the class or extracurricular activity.

If the board of trustees of a school district authorizes a child to participate in a class or extracurricular activity, excluding sports, pursuant to this subsection, the board of trustees is not required to provide transportation for the child to attend the class or activity.

**Suggested Friendly Amendments
Assembly Bill 311
Washoe County School District**

WCSD suggests that the language of this section be amended so that the board of trustees of a school district may [permissive] approve the participation of homeschooled pupils in sports.

One concern that WCSD has concerns how often or when the parent or guardian will report the student's academic progress for purposes of participation in athletics. If subsection 2 is added, line 26 can be amended to:

"statement each reporting period that the child would otherwise be required to attend. . . ."

The goal here is to hold the homeschooled student to the same reporting standards as public school standards. In other words, when grade checks occur for public school student athletes, grades must be provided for homeschooled students. Notification must occur so that homeschooled families are aware of these dates.

Any amended language must indicate that homeschooled pupils can be charged fees for participation that may be greater than fees charged to public school students, because of the offsetting fees normally paid by the school district or school for participation.

Section 5, page 4

No suggested amendments.

Section 6, page 4

Strongly supported.

Section 7, page 4

No suggested amendments. Does this language will enable homeschooled students to form teams to compete against public school teams for Academic Olympics?

Section 8, page 5

No suggested amendments.

Section 9, page 5

Amend out as written.

**Suggested Friendly Amendments
Assembly Bill 311
Washoe County School District**

Section 10, page 5, line 41

Amend to accomplish the need for the association to notify the Nevada Home School Association rather than the need to notify parents and guardians of homeschooled children.

Section 11, page 6

No suggested amendments.

Section 12, page 7

Amend out existing language and create new language so that the board of trustees of a school district shall provide to the Nevada Home School Association directory information concerning homeschooled children—unless otherwise indicated by their parents or guardians—on an annual basis no later than December 1 of the school year. The essence of this proposed amendment is one list—unless the parent or guardian specifies that the student's name will not be included—will be provided once each year to one organization.

Amending out this entire section as currently written will save all school districts the projected fiscal costs to accomplish the notification tasks as originally proposed.

Section 13, page 8, lines 35-39

Amend out as written.

We propose that the existing language of NRS 392.070 is clear about the programs of special education and related services for homeschooled children.

Amending out these lines will save all school districts the projected fiscal costs as originally proposed by the existing language.

Section 13, page 9, lines 13-15

Again, we propose that this language be permissive—based upon the approval of the board of trustees of a school district as proposed above in Section 4.