

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1122
Ways and Means

(Delegate Ghrist, *et al.*)

Public Schools - Home School Students - Extracurricular Activities (Right to Play Act of 2022)

This bill requires each public school to allow a home-schooled student who is eligible to attend the public school to participate in extracurricular activities sponsored by the school to the same extent that a student who is enrolled in the public school may participate. The home-school student must meet and comply with the public school's requirements for participating in the extracurricular activity. Extracurricular activities include interscholastic athletics, music, drama programs, student organizations, and other programs in which a student may participate outside regular school hours and for which a student does not earn academic credit. **The bill takes effect July 1, 2022.**

Fiscal Summary

State Effect: The Maryland State Department of Education (MSDE) can develop any regulations using existing resources.

Local Effect: As explained below, local school systems expenditures may increase minimally to include home-schooled students in extracurricular activities. However, in order to maintain costs at current levels, limits may need to be imposed on the number of students who may participate in activities that currently have no such limits.

Small Business Effect: None.

Analysis

Current Law: State regulations under MSDE govern the athletic program for all high school students in Maryland public secondary schools that are members of the

Maryland Public Secondary Schools Athletic Association (MPSSAA), which includes all 24 school systems. Local school systems may adopt rules governing their athletic programs that are more restrictive than those of MPSSAA; less restrictive rules may not be adopted.

Per State regulation, to be eligible for participation in high school level interscholastic athletics, students must be *officially registered and attending* the MPSSAA member school they are authorized to attend under regulations of the local school system. They may represent only the school in which they are registered and at which it is anticipated they will complete their graduation requirements. Each local school system must establish standards of participation that assure that students involved in interscholastic athletics are making satisfactory progress toward graduation.

Failure to comply with regulations constitutes a violation that results in specified penalties against the MPSSAA member school and either the student or the coach, or both. Depending upon the severity of the violation, more than one penalty may be imposed against the MPSSAA member school, student, coach, or all of the above.

Local Expenditures: There were between 26,000 and 28,000 home-schooled students annually in the State in fiscal 2014 through 2020. It is unknown how many home-schooled students will choose to participate in public school extracurriculars. Local school systems may need to impose a cap on extracurricular activities that currently have no participation limits to maintain costs within current limits. It is assumed that the total number of students who participate in extracurricular activities at public schools does not materially increase due to participation caps. Even with participation caps, additional staff time may need to be spent on recordkeeping and eligibility compliance; however, this is anticipated to have no material impact on expenditures. In addition, local school system insurance coverage may need to be adjusted to provide coverage to home-schooled students; however, any such impact is assumed to be absorbable.

If participation caps are not imposed, local school system expenditures may increase due to additional staff supervision, transportation, and equipment costs. Any such costs cannot be reliably estimated.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 987 (Senator Hershey) - Rules.

Information Source(s): Maryland State Department of Education; Baltimore City Public Schools; Baltimore County Public Schools; Prince George's County Public Schools; St. Mary's County Public Schools; Department of Legislative Services

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