
By: **Delegates Smigiel, Costa, Dwyer, Impallaria, Sossi, and Walkup**
Introduced and read first time: February 6, 2003
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Public Schools - Academic Classes and Extracurricular Activity**
3 **- Participation by Home-Schooled Students**

4 FOR the purpose of authorizing a public elementary or secondary school to allow
5 certain students who are not enrolled in the school to participate in certain
6 academic classes and extracurricular activity at the school to a certain extent;
7 defining certain terms; and generally relating to the participation by
8 home-schooled students in certain public school classes and extracurricular
9 activity.

10 BY adding to
11 Article - Education
12 Section 7-114
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2002 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Education**

18 7-114.

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
20 INDICATED.

21 (2) "EXTRACURRICULAR ACTIVITY" INCLUDES INTERSCHOLASTIC
22 ATHLETICS, MUSIC OR DRAMA PROGRAMS, STUDENT ORGANIZATIONS, OR OTHER
23 PROGRAMS SPONSORED BY THE SCHOOL:

24 (I) IN WHICH A STUDENT MAY PARTICIPATE OUTSIDE OF REGULAR
25 SCHOOL HOURS; AND

26 (II) FOR WHICH A STUDENT DOES NOT EARN ACADEMIC CREDIT.

27 (3) "HOME-SCHOOLED STUDENT" MEANS:

1 (I) A STUDENT WHO PARTICIPATES IN A HOME INSTRUCTION
2 PROGRAM UNDER WRITTEN AGREEMENT WITH THE COUNTY SUPERINTENDENT; AND

3 (II) IS ELIGIBLE TO ATTEND A PUBLIC ELEMENTARY OR
4 SECONDARY SCHOOL IN THE COUNTY.

5 (B) SUBJECT TO SUBSECTIONS (C) AND (D) OF THIS SECTION, A PUBLIC
6 ELEMENTARY OR SECONDARY SCHOOL MAY ALLOW A HOME-SCHOOLED STUDENT
7 WHO IS NOT ENROLLED IN THE SCHOOL TO PARTICIPATE IN EXTRACURRICULAR
8 ACTIVITY AND IN THE ACADEMIC CURRICULUM OF THE SCHOOL TO THE SAME
9 EXTENT THAT A STUDENT WHO IS ENROLLED AT THE SCHOOL MAY PARTICIPATE.

10 (C) IN ANY ACADEMIC YEAR, A HOME-SCHOOLED STUDENT MAY PARTICIPATE
11 IN NO MORE THAN FOUR COURSE OFFERINGS IN THE ACADEMIC CURRICULUM OF
12 THE PUBLIC SCHOOL, CHOSEN FROM AMONG:

13 (1) MATHEMATICS;

14 (2) SCIENCE;

15 (3) LANGUAGES;

16 (4) ART; AND

17 (5) MUSIC.

18 (D) IF THERE ARE A LIMITED NUMBER OF SPACES AVAILABLE FOR STUDENTS
19 IN AN EXTRACURRICULAR ACTIVITY OR IN A COURSE OFFERING IN THE ACADEMIC
20 CURRICULUM, A PUBLIC SCHOOL SHALL GIVE PLACEMENT PRIORITY FOR THE
21 EXTRACURRICULAR ACTIVITY OR FOR THE COURSE OFFERING TO THE STUDENTS
22 ENROLLED IN THE PUBLIC SCHOOL OVER ANY NONENROLLED HOME-SCHOOLED
23 STUDENT.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
25 effect October 1, 2003.