

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1043
Ways and Means

(Delegate Smith)

Homeschool Students in Maryland - Right to Play

This bill authorizes a public high school in the State to allow an eligible homeschool student to participate in interscholastic athletics sponsored by the school to the same extent that a student who is enrolled in the public school may participate. This authorization applies to interscholastic athletics in which a student may participate outside regular school hours and for which a student does not earn academic credit. A public high school must give placement priority to a student enrolled in the school if there are a limited number of spaces available for students in a given athletic activity. A homeschool student who participates in an athletic activity sponsored by a public high school is responsible for transportation to and from the school, and is subject to (1) the same insurance, health, and immunization requirement and exemptions as a student enrolled in the school and (2) except for academic rules, the same codes of conduct and safety rules as a student enrolled in the school. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: The Maryland State Department of Education (MSDE) can develop any regulations using existing resources. Revenues are not affected.

Local Effect: None. Authorizing, but not requiring, a public high school to allow homeschool students to participate in athletic activities does not affect local school finances. It is assumed that under the bill, the total number of students participating in public school interscholastic athletic activities is not expanded.

Small Business Effect: None.

Analysis

Bill Summary: A “homeschool student” is a student who participates in a home instruction program that meets the requirements of State regulations. It does not include a student participating in a home instruction program that is undergoing a deficiency correction.

If allowed by the relevant high school, a homeschool student may (1) participate in interscholastic athletics at the public high school that the student would be assigned to; (2) if living in an area that does not assign students to a specific school, participate at a public high school that is proximate with the student’s residence, as specified; or (3) if the aforementioned schools do not offer the interscholastic athletics the student seeks, participate in another public school that does.

If a public high school has liability insurance for interscholastic athletics, that insurance must cover homeschool students equally with enrolled students. To the extent that a public high school requires enrolled students to pay insurance premiums, sign waivers, or show proof of liability insurance, the high school must require the same of the homeschool participant.

Current Law/Background: 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 regulations, 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.

Chapter 804 of 2023 requires, to the extent practicable, a virtual school to provide each enrolled student access to participation in organized athletics and on athletic teams at the public school the student would otherwise be required to attend in person, notwithstanding

any other law or regulation and subject to a participation agreement between the public school and the student's parent.

MSDE advises that there are approximately 42,000 homeschool students in the State, ranging from fewer than 150 in Kent County to more than 5,500 in Baltimore County during the 2024-2025 school year.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 1185 of 2025.

Designated Cross File: None.

Information Source(s): Baltimore City Public Schools; Anne Arundel County Public Schools; Frederick County Public Schools; Montgomery County Public Schools; Prince George's County Public Schools; St. Mary's County Public Schools; Wicomico County Public Schools; Maryland State Treasurer's Office; Maryland State Department of Education; Maryland Insurance Administration; Department of Legislative Services

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