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TO: House Ways and Means Committee

BILL: House Bill (HB) 1043 – Homeschool Students in Maryland – Right to Play

DATE: March 4, 2026

POSITION: Letter of Information

The Maryland Public Secondary Schools Athletic Association (MPSSAA) submits this written informational only testimony for House Bill 1043 (HB1043), *Homeschool Students in Maryland – Right to Play*. MPSSAA recognizes the growing availability of alternatives to traditional public-school enrollment. HB 1043 would authorize public schools to permit non-enrolled students to participate in interscholastic athletics without requiring official enrollment. MPSSAA respectfully requests that the following considerations be considered when evaluating the potential impact of this legislation.

HB 1043 permits public schools to allow non-enrolled students to participate in interscholastic athletics, to the same extent as enrolled students, with exceptions to academic standards. The cornerstone of interscholastic athletic eligibility is academic accountability. Students enrolled in public schools are required to meet established standards related to grade point average, curriculum requirements, testing, and course completion. Allowing students who are not subject to these same academic structures to participate in interscholastic athletics shifts the emphasis from education-based athletics to athletics as a stand-alone activity, rather than a privilege connected to school enrollment and academic performance within the local educational agency (LEA).

For generations, LEAs have designed athletics, clubs, and extracurricular programs to complement and reinforce the school-based academic environment. These programs foster school spirit, promote positive culture, and create inclusive learning communities for enrolled students. Educators and administrators dedicate significant time and effort—beyond their primary instructional responsibilities—to sponsor and supervise these activities in support of students’ academic and personal development. These programs are grounded in enrollment and governed by eligibility criteria established by each LEA.

MPSSAA is concerned that HB 1043 could disrupt equitable participation, encourage improper recruitment, and threaten competitive balance among schools. MPSSAA classifies member schools for competition based on enrollment in grades 9 through 11. Since non-enrolled students would not be included in LEA enrollment figures, their participation could undermine the integrity of this classification and parity system.

Interscholastic athletics in Maryland operate under Code of Maryland regulations, COMAR 13A.06.03, which require students to be legally enrolled and attending a member school in order to participate. HB 1043 contemplates permitting non-enrolled students to participate at a school other than the LEA assigned public school if that school does not offer the desired athletic activity, a provision not afforded to students under COMAR. Allowing non-enrolled students to choose the schools they represent may create conditions conducive to recruitment for competitive advantage. LEAs already face challenges in managing student transfers to preserve fairness and prevent the recruitment of “ringers” to strengthen team performance. Under HB 1043, the potential for recruiting talented non-enrolled athletes could increase. In such circumstances, enrolled students could be displaced, bullied to withdraw from participating to open a spot eligible for homeschool students, or experience reduced participation opportunities.

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Additionally, MPSSAA is concerned that HB 1043 may create incentives for students experiencing academic or disciplinary difficulties to disenroll from public school, begin homeschooling, and continue participating in athletics. While the bill attempts to address such scenarios, the reality of modern academic monitoring systems allows students and families to track academic standing in real time. This may create opportunities to disenroll prior to the conclusion of marking periods to preserve athletic eligibility. Such outcomes could further prioritize athletics over academics and undermine established conduct and accountability systems.

School administrators are responsible for the safety, supervision, and well-being of enrolled students. Expanding oversight responsibilities to include non-enrolled participants introduces additional operational and liability considerations, particularly in areas related to safety, discipline, and compliance. School administrators would not have suspension, detention, and other accountability for action tools available to them to enforce proper discipline and conduct.

Interscholastic athletics play a vital role in enhancing the overall educational experience for enrolled students. These programs support academic achievement, promote attendance, and contribute to students' development. The demands of maintaining academic eligibility—meeting GPA requirements, completing coursework, and preparing for assessments—are balanced by the benefits of participation in school-based extracurricular activities. This balance reflects the fundamental principle of education-based athletics while supporting the social, emotional, physical and mental wellbeing of the student.

MPSSAA respectfully requests that these considerations be carefully weighed during deliberations on HB 1043. For further information, please contact Andy Warner at 410-767-0376, or Robert.warner1@maryland.gov.