

ORS 339.460 Homeschooled and public charter school students' Participation in Interscholastic Activities; Conditions

- (1) As used in this section:
 - a. "Homeschooled student" means a child who is taught by a private teacher, a parent or a legal guardian, as described in ORS 339.030 (Exemptions from compulsory school attendance).
 - b. "Interscholastic activities" means athletics, music, speech and other similar or related activities.
 - c. "Public charter school" has the meaning given that terms in ORS 338.005 (Definitions for chapter).
- (2) A school district may not deny a homeschooled student, or a student who attends a public charter school that does not provide interscholastic activities, the opportunity to participate in all interscholastic activities available in the school district within the attendance boundaries in which the homeschooled student or public charter student resides if the student fulfills the following conditions:
 - a. For a homeschooled student, the student must meet all school district eligibility requirements except:
 - A. The school district's school or class attendance requirements; **and**
 - B. The class requirements of the voluntary association that administers interscholastic activities.
 - b. The student must meet one of these requirements.
 - A. Achieve a minimum score that places the student above the 23rd percentile, based on national norms, on an exam from the list the State Board of Education adopts under ORS 339.035 (Teaching by private teacher, parent or guardian). The student must take the examination at the end of each school year, and the student's parents or legal guardian must submit the results to the school district for use in determining eligibility for the following year.
 - B. Meet alternative requirements that a school district adopts, in consultation with the student's parent or legal guardian, to participate in interscholastic activities, including but not limited to a requirement that a student submit a portfolio of work samples to a school district committee for review to determine whether the student is eligible to participate in interscholastic activities.

- (4) A homeschooled student who attends a public charter school may participate in interscholastic activities while awaiting examination results.
- (5) A homeschooled student, or a student who attends a public charter school, who does not maintain academic eligibility is ineligible to participate in interscholastic activities for the duration of the school year in which the student becomes academically ineligible and for the following year. The student must take the required examinations at the end of the second year and meet the standards described in section (2)(b) of this section to become eligible for the third year.
- (6) A homeschooled student or a student who attends a public charter school must fulfill the same responsibilities and standards of behavior and performance, including related class or practice requirements, as other students who participate in the interscholastic activity of the team or squad and must meet the same standards for acceptance on team or squad. The student must also comply with all public-school requirements during the time of participation.
- (7) A homeschooled student, or a student who attends a public charter school, who participates in interscholastic activities must reside within the attendance boundaries of the school at which the student participates.

OSAA Eligibility - Home School Students

- A. **Compliance with Oregon Statutory Requirements.** In order for a home school student to represent an OSAA member school in competition, the student must satisfy all relevant requirements included in the home school statutes (ORS 339.030, ORS 339.035, ORS 339.460) including but not limited to the following:
 - B. **Notification of Intent to Home School.** The home school student shall notify the local education service district (ESD) within ten days of withdrawal from the public school and prior to the first day of the school year.
 - C. **Meet School District Eligibility Requirements.** The home school student shall meet all school district eligibility requirements with the exception of:
 1. The school district's school or class attendance requirements.
 2. The OSAA academic eligibility requirements dealing with number of credits required per grading period.
 - D. **Meet School District Responsibilities and Standards of Behavior and Performance.** The home school student shall be required to fulfill the same responsibilities and standards of behavior and performance, including related class or practice requirements, of other students participating in the interscholastic activity of the team or squad and shall be required to meet the same standards for acceptance on the

team or squad. The home school student also shall comply with all school requirements during the time of participation.

- E. **Academic Eligibility (Testing) Requirement.** In lieu of satisfying the OSAA academic eligibility requirements, the home school student shall achieve a minimum score on the achievement test required annually at the end of the school year (by August 15) of all home school students wishing to participate in activities. The minimum, composite test score as determined by the State Board of Education is the 23rd percentile. The score is used to determine eligibility for the following school year.
 1. Approved Tests:
 - Iowa Tests of Basic Skills
 - Stanford 9th Edition
 - TerraNova 2 / CAT6(CTBS/TerraNova/CAT)
 - TerraNova 3 (CTBS/TerraNova/CAT)
 2. The statute also allows a school district to adopt an alternative requirement to a test, such as submission of a portfolio of work samples to a school district committee for review to determine whether a home school student is eligible to participate in interscholastic activities.
- F. **Effect of Academic Ineligibility.** Any home school student who has been unable to maintain academic eligibility prior to transferring to a home school shall be ineligible to participate in interscholastic activities as a home school student for the duration of the school year in which the student becomes academically ineligible and for the following year. The student may take the required tests at the end of the second year and, upon meeting the minimum test score standards described in E. above, becomes eligible for the third year.
- G. **Compliance with OSAA Deadlines and Regulations.** In addition to satisfying the Oregon statutory requirements summarized above, a home school student wishing to participate representing a member school must satisfy the following OSAA deadlines and regulations:
 - 1) **Deadlines**
 - a) **Notification of Intent to Home School.** The home school student shall notify the local ESD prior to the first day of school of the public or private school at which the student is eligible to participate in order to represent that school during that school year.
 - b) **Testing.** The home school student must have taken the annual test on or before August 15 in order to participate in OSAA activities during the following school year. The student may participate while awaiting test results. **NOTE:** The test is NOT required of students prior to entering the 9th grade for the first time.
 - c) **Transfer.** A transfer by a student to a home school is considered to have taken place "in between school years" if the transfer occurs prior to the first day of

school of the public or private school at which the student is eligible to participate.

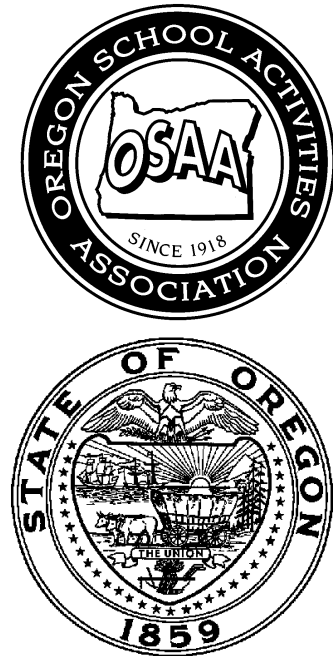
- 2) **Other OSAA Regulations.** Other OSAA regulations are summarized below. (Please refer to the “Rules” section of the OSAA Handbook for more detailed explanation including questions and answers regarding the regulations.)
- a) School Representation (Rule 8.5.1.a). A home school student is eligible to represent only a public or private school located within the public school attendance boundaries of the joint residence of the student and student’s parents.
- b) Transfer Student Eligibility (Rule 8.6.3). If the transfer to or from the home school occurs in between school years, the student is immediately eligible at the beginning of the school year. If the transfer to or from the home school occurs during the school year, the student is ineligible for the remainder of that school year unless the student’s school of representation does not change.
- c) Duration of Eligibility/Graduation (Rule 8.2). A student may participate in interscholastic activities for four consecutive years or eight semesters after entering the 9th grade.
- d) Age Restrictions (Rule 8.3). A student who becomes 19 before August 15 is ineligible for interscholastic competition. A student who becomes 19 on or after August 15 remains eligible for that entire school year.
- 3) Except where the denial of eligibility is based upon Oregon Statutory or regulatory requirements, the District Committee may in individual cases, at its discretion, waive or modify the eligibility rules regarding transfers involving home schools when in its opinion there are circumstances beyond the control of each of the student and the student’s parent(s) or other circumstances whereby enforcement of the rule would work an undue hardship upon the student. See Rule 8.5, School Representation, for additional information.

Questions and Answers

- Q.** If a student living in School A’s attendance area attends School B and then becomes a home school student during the school year, when is that student eligible to represent School A?
- A.** The student is eligible to represent School A at the beginning of the school year following the date the student becomes a home school student, providing all other eligibility requirements are met.
- Q.** If a student who lives in School A’s attendance area attends School B and then becomes a home school student and represents School A, can that student return to School B as a regularly enrolled student and be eligible?
- A.** No. If this occurs, the student in question would be eligible at School B one calendar year from the date of return to School B.

- Q.** If a home school student’s parents reside in School A’s attendance area and the student’s parents move to School B’s attendance area, how does this affect the eligibility of the student?
- A.** The home school student would be eligible only at school B.
- Q.** If a home school student’s parents reside in a public school district that also has a private school and/or a member charter school within its attendance boundaries, which school may the home school student represent?
- A.** The home school student would be eligible to represent any of the schools within the attendance boundaries of the public school, but only one of the schools. Once the home school student attended a practice or represented one of the schools, that school would be the only school the home school student would be eligible to represent unless at least one calendar year has passed since the home school student last represented any of the schools. Exception: A home school student who has chosen to represent a private school may also represent the resident public school in any activity not offered by the private school, provided that both high school principals agree.
- Q.** If a home school student’s parents reside in a public school district that also has a private school and/or a member charter school within its attendance boundaries, may the home school student represent different schools in different sports or activities?
- A.** No. Once the home school student attended a practice or represented one of the schools, that school would be the only school the home school student would be eligible to represent. The home school student would be ineligible to represent any school other than the one the student initially represented unless at least one calendar year has passed since the home school student last represented the initially represented school. Exception: A home school student who has chosen to represent a private school may also represent the resident public school in any activity not offered by the private school, provided that both high school principals agree.
- Q.** If there is more than one private school within the public school boundaries where a home school student’s parents reside, which private school may the home school student represent?
- A.** The home school student may represent any of the private schools, but only one.
- Q.** If a home school student’s parents reside in a public school district that has no private school within its attendance boundaries, may the home school student represent a private school in an adjacent public school district?
- A.** No. If there is no private school within the public school attendance boundaries in which the home school student’s parents reside, the home school student may only represent the public school within whose attendance boundaries the home school student’s parents reside.
- Q.** May a home school student whose parents reside within a multiple high school district select the high school he or she wishes to represent?
- A.** No. The home school student is eligible only at the public school within whose attendance boundaries the student’s parents reside, or at a private school located within those same attendance boundaries.
- Q.** If a public school does not offer a particular sport, may a home school student who resides in the public school’s attendance boundary and who wishes to participate in that sport participate at another school in order to compete in that sport?
- A.** No.

OSAA GUIDELINES: HOME SCHOOL ELIGIBILITY



This brochure contains some of the key Oregon Revised Statute and OSAA rules dealing with home school student eligibility. However, it does not contain all Oregon Revised Statutes or OSAA eligibility rules and it is not intended as a replacement for the OSAA Handbook. If you have questions, please contact an OSAA Executive Staff member for clarification.

Parents and/or guardians have the responsibility to know and understand Oregon Revised Statutes, all laws, and OSAA policy that may pertain to eligibility of home school students. Information about home schooling can be found on the Oregon Department of Education website located at:

www.ode.state.or.us/search/results/?id=74

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