

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE ABILITY OF A STUDENT
5 ATTENDING A NONPUBLIC SCHOOL OR HOME SCHOOL TO PARTICIPATE IN EXTRACURRICULAR
6 ACTIVITIES OFFERED BY THE STUDENT'S RESIDENT SCHOOL DISTRICT; AMENDING SECTION 20-5-
7 111, MCA; AND PROVIDING AN EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 20-5-111, MCA, is amended to read:

12 **"20-5-111. Responsibilities and rights of parent who provides home school and child who**
13 **attends home school.** (1) Subject to the provisions of 20-5-109, a parent has the authority to instruct the
14 parent's child, stepchild, or ward in a home school and is solely responsible for:

- 15 ~~(1)~~(a) the educational philosophy of the home school;
- 16 ~~(2)~~(b) the selection of instructional materials, curriculum, and textbooks;
- 17 ~~(3)~~(c) the time, place, and method of instruction; and
- 18 ~~(4)~~(d) the evaluation of the home school instruction.

19 (2) A child attending a home school has the right to participate on an equal basis in extracurricular
20 activities offered by a public school district in which the child resides and is subject to the same rules of any
21 interscholastic organization of which the school of participation is a member."

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23 **NEW SECTION. Section 2. Participation in extracurricular activities.** A school district or an
24 athletic association, conference, or organization with authority over interscholastic sports may not prohibit or
25 restrict the ability of a student attending a nonpublic or home school meeting the requirements of 20-5-109 from
26 participating in extracurricular activities at a school in the student's resident school district solely on the
27 student's enrollment at the public school or on the number of hours the student physically attends the public
28 school.

