

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 152, Page 44, Section 167.645, Line 177, by inserting after all of said section and
3 line the following:
4

5 "167.790. 1. No school district shall be a member of, or remit any funds to, any statewide
6 activities association that:

7 (1) Prohibits a student who is receiving instruction at a home school, as defined in section
8 167.031, from the opportunity to participate in any event or activity offered by the school district or
9 an attendance center of the school district in which the student resides and where the statewide
10 activities association exercises authority, rules, or guidelines for participating in such events or
11 activities for any reason relating to such student's home instruction; or

12 (2) Requires a student to attend more than one class directly related to, and necessary for,
13 participation in an event or activity in order to participate in such an event or activity.

14 2. No school district shall:

15 (1) Prohibit a student who is receiving instruction at a home school, as defined in section
16 167.031, from the opportunity to participate in any event or activity offered by the school district or
17 an attendance center of the school district in which the student resides.

18 (2) Require a student to attend more than one class directly related to, and necessary for,
19 participation in an event or activity in order to participate in such an event or activity.

20 3. The department of elementary and secondary education shall have the authority to
21 withhold payments under section 163.031 for any district in violation of this section. Each initial
22 violation of any provision of any rule promulgated pursuant to this section by a school district or
23 attendance center shall be punishable by a partial withholding of payments under section 163.031
24 equal to five thousand dollars. A second violation by the same organization or entity shall be
25 punishable by a partial withholding of payments under section 163.031 equal to ten thousand
26 dollars. Any subsequent violation by the same organization or entity shall be punishable by a partial
27 withholding of payments under section 163.031 equal to twenty-five thousand dollars. Each
28 violation involving a different individual student per school year shall be considered a separate
29 violation. The department shall release any withheld funds under this section upon the district
30 providing satisfactory proof to the state board of education that the school district is in compliance
31 with subsections 1 and 2 of this section.

32 4. A statewide activities association shall not prohibit or restrict any school district which is
33 a member of such association from participating in any events sanctioned, authorized, or regulated
34 by such association with any school that is not a member of the association.

35 5. School disciplinary policies shall apply to all participants in events or activities offered by
36 the school district.

Action Taken _____ Date _____

1 6. Any records created by such a school district or attendance center under this section shall
2 not be disclosed by such district for any purpose.

3 7. Nothing in this section shall be construed as to prohibit the ability of a school district to
4 negotiate in good faith with the guardian of a participating student who is receiving instruction at a
5 home school and for the school district to require an affidavit or evidence that said student is
6 meeting all the eligibility standards necessary for participation in any event or activity offered by the
7 school district, provided the district remains in compliance with subsections 1 and 2 of this
8 section."; and

9
10 Further amend said bill by amending the title, enacting clause, and intersectional references
11 accordingly.