

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1633

5 By: Representatives Brooks, Evans, M. Shepherd, Hawk
6 By: Senators Hester, J. English
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND ELIGIBILITY REQUIREMENTS FOR
10 HOMESCHOOLED STUDENTS TO PARTICIPATE IN
11 INTERSCHOLASTIC ACTIVITIES THAT ARE ATHLETIC
12 ACTIVITIES AT PUBLIC SCHOOLS AND PRIVATE SCHOOLS; TO
13 AMEND ELIGIBILITY REQUIREMENTS FOR STUDENTS WHO
14 TRANSFER SCHOOLS UNDER THE ARKANSAS OPPORTUNITY
15 PUBLIC SCHOOL CHOICE ACT TO PARTICIPATE IN
16 EXTRACURRICULAR ACTIVITIES; TO AMEND ELIGIBILITY
17 REQUIREMENTS FOR STUDENTS WHO TRANSFER SCHOOLS UNDER
18 THE PUBLIC SCHOOL CHOICE ACT OF 2015 TO PARTICIPATE
19 IN EXTRACURRICULAR ACTIVITIES; TO DECLARE AN
20 EMERGENCY; AND FOR OTHER PURPOSES.
21
22

Subtitle

23
24 TO AMEND ELIGIBILITY REQUIREMENTS FOR
25 PARTICIPATING IN EXTRACURRICULAR
26 ACTIVITIES FOR CERTAIN STUDENTS WHO
27 TRANSFER SCHOOLS; AND TO DECLARE AN
28 EMERGENCY.
29

30 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

31
32 SECTION 1. Arkansas Code § 6-15-509(c)(1)(B)(iii), concerning the
33 requirements of a homeschooled student to participate in an interscholastic
34 activity at a public school, is amended to read as follows:

35 (iii)(a) A homeschooled student may begin
36 participating in an interscholastic activity that is an athletic activity at



1 a public school other than his or her resident school immediately upon being
 2 approved to participate if the homeschooled student is approved to
 3 participate by ~~July 1~~ May 1 of the school year for which the homeschooled
 4 student will be enrolled in grade seven (7), eight (8), nine (9), or ten
 5 (10).

6 (b) If a homeschooled student is not approved
 7 to participate in an interscholastic activity that is a varsity athletic
 8 activity by May 1 of the school year for which he or she will be enrolled in
 9 grade seven (7), eight (8), nine (9), or ten (10), then the homeschooled
 10 student shall not be eligible to participate in the interscholastic activity
 11 that is a varsity athletic activity at an Arkansas Activities Association
 12 member school for up to three hundred sixty-five (365) days.

13
 14 SECTION 2. Arkansas Code § 6-15-509(h), concerning eligibility of
 15 homeschooled students to participate in certain interscholastic activities at
 16 a public school district upon withdrawing from an Arkansas Activities
 17 Association member school, is amended to read as follows:

18 (h)(1)(A) A student who withdraws from an Arkansas Activities
 19 Association member school and enrolls in a home school shall immediately be
 20 eligible to participate in any interscholastic activity at ~~a~~ the homeschooled
 21 student's resident public school district if the homeschooled student is
 22 approved to participate by May 1 of the school year for which the
 23 homeschooled student will be enrolled in grade seven (7), eight (8), nine
 24 (9), or ten (10).

25 (B)(i) However, a homeschooled student shall not be
 26 eligible to participate in an interscholastic activity that is a varsity
 27 ~~sport~~ athletic activity in the homeschooled student's resident public school
 28 district if he or she withdrew from an interscholastic activity that is a
 29 varsity ~~sport~~ athletic activity at the resident public school district during
 30 the previous three hundred sixty-five (365) days.

31 (ii) A homeschooled student who is not eligible to
 32 participate in an interscholastic activity under this subsection may
 33 participate in tryouts, practices, classes, or other endeavors associated
 34 with the interscholastic activity.

35 (2) A homeschooled student who has not withdrawn from an
 36 Arkansas Activities Association member school may begin participating in an

1 interscholastic activity in ~~a~~ the homeschooled student's resident public
 2 school district immediately upon being approved to participate by the
 3 resident public school district if the homeschooled student is approved to
 4 participate by May 1 of the school year for which the homeschooled student
 5 will be enrolled in grade seven (7), eight (8), nine (9), or ten (10).
 6

7 SECTION 3. Arkansas Code § 6-15-510(e) and (f), concerning eligibility
 8 of homeschooled students to participate in certain interscholastic activities
 9 at a private school upon withdrawing from an Arkansas Activities Association
 10 member school, are amended to read as follows:

11 (e)(1)(A) A student who withdraws from an Arkansas Activities
 12 Association member school to be homeschooled shall be immediately eligible to
 13 participate in any interscholastic activity in a private school.

14 (B) However, a homeschooled student shall not be eligible
 15 to participate in an interscholastic activity that is a varsity ~~sport~~
 16 athletic activity in ~~the~~ a private school if he or she withdrew from an
 17 interscholastic activity that is a varsity ~~sport~~ athletic activity at an
 18 Arkansas Activities Association member school during the previous three
 19 hundred sixty-five (365) days.

20 (2) A student who has not withdrawn from an Arkansas Activities
 21 Association member school to become homeschooled may begin participating in
 22 an interscholastic activity in a private school immediately upon being
 23 approved to participate if the homeschooled student is approved to
 24 participate by the private school by May 1 of the school year for which the
 25 homeschooled student will be enrolled in grade seven (7), eight (8), nine
 26 (9), or ten (10).

27 (f)(1) A homeschooled student approved under subsection (b) of this
 28 section to participate in interscholastic activities at a private school may
 29 begin participating in an interscholastic activity that is an athletic
 30 activity immediately ~~upon being~~ if the homeschooled student is approved to
 31 participate by ~~July 1~~ the private school by May 1 of the school year for
 32 which the homeschooled student will be participating in the interscholastic
 33 activity and enrolled in grade seven (7), eight (8), nine (9), or ten (10).

34 (2) A homeschooled student approved under subsection (b) of this
 35 section may immediately participate in rehearsals, tryouts, practices,
 36 auditions, classes, or other endeavors associated with the interscholastic

1 activity that is an athletic activity if the homeschooled student meets the
2 requirements under subdivision (f)(1) of this section.

3 (3) If an interscholastic activity is not an athletic activity,
4 a homeschooled student approved under subsection (b) of this section to
5 participate in interscholastic activities at a private school may begin
6 participating in the interscholastic activities that are not athletic
7 activities immediately upon being approved to participate.

8
9 SECTION 4. Arkansas Code Title 6, Chapter 18, Subchapter 1, is amended
10 to add an additional section to read as follows:

11 6-18-116. Student transfer to nonpublic school – Participation in
12 extracurricular activity.

13 (a) A student who transfers to a nonpublic school and is enrolled in
14 the nonpublic school by May 1 of the school year for which the transfer
15 student will be enrolled in grade seven (7), eight (8), nine (9), or ten (10)
16 shall be immediately eligible to participate in an extracurricular activity
17 that is an athletic activity.

18 (b) If a transfer student is not enrolled in a nonpublic school by May
19 1 of the school year for which he or she will be enrolled in grade seven (7),
20 eight (8), nine (9), or ten (10), then the transfer student shall not be
21 eligible to participate in an extracurricular activity that is a varsity
22 athletic activity for up to three hundred sixty-five (365) days.

23 (c)(1) A student who transfers to a nonpublic school under this
24 section shall complete a Changing Schools/Athletic Participation form as
25 created by the Arkansas Activities Association.

26 (2) A Changing Schools/Athletic Participation form shall be
27 completed and filed with the:

28 (A) Nonpublic school to which the student transfers under
29 this section; and

30 (B) Arkansas Activities Association.

31 (3) Before a student is eligible to participate in an
32 extracurricular activity at the nonpublic school to which he or she transfers
33 under this section, the Changing Schools/Athletic Participation form
34 submitted by the student as required under subdivision (c)(1) of this section
35 shall be signed by:

36 (A) Either the:

1 (i) Superintendent of the public school district
2 from which the student is transferring, if the student is transferring from a
3 public school district; or

4 (ii) Director of the nonpublic school from which the
5 student is transferring, if the student is transferring from another
6 nonpublic school;

7 (B) The director of the nonpublic school to which the
8 student transfers; and

9 (C) The parent, legal guardian, or person standing in loco
10 parentis to the student.

11 (4) The individuals under subdivision (c)(3)(A) and (B) of this
12 section shall sign the Changing Schools/Athletic Participation form unless
13 there is demonstrable evidence:

14 (A) Of recruiting by the receiving nonpublic school
15 personnel; or

16 (B) The student is transferring to the nonpublic school
17 solely for athletic purposes.

18 (5)(A) A Changing Schools/Athletic Participation form shall be
19 used only for eligibility determination of a student who transfers to a
20 nonpublic school under this section and is enrolled in the nonpublic school
21 by May 1 before the student enters grades seven through ten (7-10).

22 (B) Nonpublic school personnel shall not recruit students
23 for athletic purposes to the nonpublic school at which they are employed.

24 (C) As used in this section, "recruiting" means the use of
25 undue influence or special inducement by an individual who is connected
26 directly or indirectly with a school that is a member of the Arkansas
27 Activities Association in an attempt to encourage, induce, pressure, urge, or
28 entice a prospective student of any age to transfer to the school or to
29 retain a student at the school for the purpose of participating in an
30 extracurricular activity.

31
32 SECTION 5. Arkansas Code § 6-18-227(m)(2)(D), concerning the
33 requirement that a student transferring schools under the Arkansas
34 Opportunity Public School Choice Act complete a Changing Schools/Athletic
35 Participation form under certain circumstances, is amended to read as
36 follows:

1 (D)(i) A Changing Schools/Athletic Participation form
 2 shall be used only for eligibility determination of a student who transfers
 3 to another public school or nonresident school district under this section
 4 and is enrolled in the receiving school district by ~~July 1~~ May 1 before the
 5 student enters grades ~~seven through twelve (7-12)~~ seven through ten (7-10).

6 (ii)(a) A student who transfers to another public
 7 school or nonresident school district under this section and is enrolled in
 8 the receiving school or receiving school district by May 1 of the school year
 9 for which the transfer student will be enrolled in grade seven (7), eight
 10 (8), nine (9), or ten (10) shall be immediately eligible to participate in an
 11 extracurricular activity that is an athletic activity.

12 (b) If a transfer student is not enrolled in a
 13 receiving school or receiving school district by May 1 of the school year for
 14 which he or she will be enrolled in grade seven (7), eight (8), nine (9), or
 15 ten (10), then the transfer student shall not be eligible to participate in
 16 an extracurricular activity that is a varsity athletic activity for up to
 17 three hundred sixty-five (365) days.

18
 19 SECTION 6. Arkansas Code § 6-18-1904(f)(2)(D), concerning the
 20 requirement that a student transferring schools under the Public School
 21 Choice Act of 2015 complete a Changing Schools/Athletic Participation form
 22 under certain circumstances, is amended to read as follows:

23 (D)(i) A Changing Schools/Athletic Participation form
 24 shall be used only for eligibility determination of a student who transfers
 25 to another public school or nonresident school district under this subchapter
 26 and is enrolled in the receiving school district by ~~July 1~~ May 1 before the
 27 student enters grades ~~seven through twelve (7-12)~~ seven through ten (7-10).

28 (ii)(a) A student who transfers to another public
 29 school or nonresident school district under this section and is enrolled in
 30 the receiving school or receiving school district by May 1 of the school year
 31 for which the transfer student will be enrolled in grade seven (7), eight
 32 (8), nine (9), or ten (10) shall be immediately eligible to participate in an
 33 extracurricular activity that is an athletic activity.

34 (b) If a transfer student is not enrolled in a
 35 receiving school or receiving school district by May 1 of the school year for
 36 which he or she will be enrolled in grade seven (7), eight (8), nine (9), or

1 ten (10), then the transfer student shall not be eligible to participate in
2 an extracurricular activity that is a varsity athletic activity for up to
3 three hundred sixty-five (365) days.

4
5 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the
6 General Assembly of the State of Arkansas that student transfers from public
7 schools greatly impact public school budgets; that student transfers from
8 public schools also impact public schools' abilities to appropriately plan
9 for the upcoming school year, including ensuring staffing needs are met; that
10 if public schools face unexpected student transfers in large numbers, it will
11 be increasingly difficult for the public schools to appropriately plan and
12 accommodate student needs for the upcoming school year; that both schools and
13 students need time to determine participation in and eligibility for
14 extracurricular activities, particularly for athletic activities; and that
15 this act is immediately necessary to give students time to assess school
16 choice options and select the school that best fits their needs while also
17 providing public schools with enough time to appropriately plan and budget
18 for the upcoming school year. Therefore, an emergency is declared to exist,
19 and this act being immediately necessary for the preservation of the public
20 peace, health, and safety shall become effective on:

21 (1) The date of its approval by the Governor;

22 (2) If the bill is neither approved nor vetoed by the Governor,
23 the expiration of the period of time during which the Governor may veto the
24 bill; or

25 (3) If the bill is vetoed by the Governor and the veto is
26 overridden, the date the last house overrides the veto.