

BILL: House Bill 251
TITLE: Education – Home Instruction Programs – Participation in Clubs and Activities
POSITION: OPPOSE
DATE: February 11, 2016
COMMITTEE: House Ways and Means
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The Maryland Association of Boards of Education (MABE), representing all of the state's local boards of education, opposes House Bill 251.

MABE opposes this bill's proposal to require local school systems to allow students participating in home instruction to participate in a school's extracurricular clubs and activities, including interscholastic athletics.

Local school systems have consistently raised concerns regarding the increased administrative burdens, costs, and liabilities that could arise if students participating in home instruction or non-public school students were permitted to participate in public school extracurricular activities. For these reasons, MABE has consistently opposed legislation similar to House Bill 251; legislation which has been considered and rejected by the General Assembly many times in the past.

There are many compelling reasons to reject the proposal to allow non-enrolled students to participate in school activities provided for enrolled students. The comprehensive scope of school system responsibilities for enrolled students extends to student health, e.g. enforcing compliance with mandated vaccinations; providing appropriate educational accommodations; e.g. developing individualize educational programs (IEPs) and 504 Plans; enforcing student discipline policies, e.g. in-school suspension; and academic eligibility, e.g. grade point average requirements. These impediments to allowing a non-enrolled student to participate with enrolled students in extracurricular activities and sports would introduce serious challenges regarding school system liability, the extension of limited staff resources, and the unavoidable disruption to the activities of cohorts of enrolled students.

For these reasons, MABE requests that the committee issue an unfavorable report on House Bill 251.