

SB2349

**Date:** 02/03/2010

**Committee:** Senate Education and Housing

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Interim Superintendent of Education

**Title of Bill:** SB 2349 Relating to Extracurricular Activities

**Purpose of Bill:** Allows home-schooled students to participate on an equal basis in extracurricular activities offered at the public school they would otherwise be required to attend.

**Department's Position:** At this time, the Department of Education (Department) supports this Bill but recommends clarification of the examples cited in the definition of "extracurricular activity" described in section 302A to minimize confusion with "co-curricular activity." Band and music are co-curricular activity programs.

The Board of Education's (BOE) decision to support a similar bill (H.B. 493) was made at the February 19, 2009 BOE General Business Meeting.

Date of Hearing: February 3, 2010  
Committee: House Committee on Education

Person testifying: Neal Takamori, President  
ADCA (Athletic Directors and Coaches Association of Hawaii)

Testimony on SB 2349

On behalf of the Athletic Directors and Coaches Association of Hawaii (ADCA), we are opposed SB 2349.

There are many concerns that are not addressed in the bill that will create tremendous conflicts and problems if not addressed. The following are some of the concerns.

1. **Philosophy:** When parents choose to home school their children, are they not making a conscious choice to opt out of the public education experience, which includes extra curricular activities of which athletics are a part of, and provide their children with an alternative academic program? Isn't the participation in athletics a privilege and not a right as established in many court cases around the nation?
2. **Funding:** Public Schools are funded by the Student Weighted Formula. What will be the formula for funding athletics for home schoolers? How will it be determined? Currently, allocation to the DOE is based on per pupil enrollment in schools. Will schools get additional funding? What about the class dues students are required to pay that support extra curricular activities or the costs of participation of a student in a single sport?
3. **Eligibility:** Public school students must abide by the 2.0 GPA rule and other DOE and School standards, rules, and policies. Who will monitor the Home School and the child? Are we creating a double standard with home schooled children as opposed to public schooled children? (example: a child is failing all his courses which renders him ineligible to participate in athletics and extra-curricular activities. The parents decide to home school him to enable him to participate, because under their grading, he can receive all passing grades.) We can foresee a multitude of potential abuses. In Florida, entire golf and tennis tennis teams were comprised of home-schoolers.  
Establishing years of participation would be a problem (National Federation rules is 4 consecutive years from entering the 9<sup>th</sup> grade). We can verify the records of a student in public school but will have problems of accountability in verifying home schoolers.
4. **DOE Standards, Rules, and Policies:** Who monitors this? A public school environment is more accountable for consistency and fairness for all students. The DOE does not accept credits from Home Schoolers. I believe largely due to the lack of accountability with academic standards.
5. We have State transfer rules. Who will monitor this rule: example... if a home schooler participated at another school?
6. There are many other scenarios that concern the athletic directors across the State, including athletic directors from the private schools that do not allow home schoolers to participate at their schools. **A major concern against this bill is the opportunity for illegal recruitment.**
7. In addition, there are numerous community leagues and activities that home schoolers can participate in.

John Chung  
1120 Nehoa St.  
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Testimony Before the  
SENATE COMMITTEE ON EDUCATION  
February, 3, 2010  
Room 225, State Capitol  
Testimony Relating to Senate Bill 2349

Chairman Sakamoto, Vice Chair Kidani and Members of the Committee:

I would like to offer testimony opposing Senate Bill 2349, Relating to Extracurricular Activities. This bill requires the Department of Education to allow children that are home schooled to participate in extra curricular activities at the public school they would otherwise be required to attend.

My name is John Chung and I am the Athletic Director at Roosevelt High School. I strongly oppose SB 2349 because of the inequities that this bill will provide for those that are home schooled. This bill will also provide loopholes to parents that are more concerned with having their child participate in athletics versus doing well academically.

At all public schools, we grade check our student athletes. Besides grades, we also look at the student's attendance, attitude and behavior in the classroom. These factors will determine whether or not a student can participate. How will we get an accurate account of the home schooled student's behavior if we have to rely on the parent to provide this information to us? Will the parent tell us that their child is being insubordinate to them? If parents will be responsible for submitting their children's grades to us, how will we know if the grades are accurate? I am not saying that the parents will submit a passing grade so their child will be eligible, but how can we make sure that it won't happen. Our students at Roosevelt are graded by six different teachers. Each may have their own grading system. A home schooled student will be graded by only one person. Is this fair to the public school student?

Another inequity that may arise if home schooled children are allowed to participate is that a parent may take their child out of the public school setting and decide to home school them a few weeks prior to the end of the quarter or semester. This may be done in order to make them eligible for competition. I don't think that this bill addresses that issue.

If SB 2349 is passed it may also lead to students moving to districts to play for a certain school. This may happen because of grades or because they want to play for a certain school. If that happens I don't think that it would be fair for someone who is home schooled to take a spot on a team from someone who is attending the school on a daily basis.

Prior to entering their child in high school, parents have a choice that they must make. Do I enroll my child in a private school, public school or do I choose to home school my child. Depending on what the parent decides, will determine what is offered to their child. Some private schools have programs that some public schools don't have. That's one reason that some parents send their children to a private school. My point is that parents have the right to choose home schooling. They must understand that if they choose that route to educate their child then certain programs may not be available to them. They know this prior to choosing this type of education.

Home schooled students currently do have an opportunity to participate in athletics. Just about every community has a Parks and Recreation league. Besides that, there are many club teams that offer basically the same level of participation as the high schools. Being that home schooled students will not be subjected to specific school rules and regulations, I truly believe that the Park and Recreation leagues will meet the needs of the home schooled student.

Sincerely,

John Chung

TO THE SENATE COMMITTEE ON EDUCATION & HOUSING  
TWENTY-FIFTH LEGISLATURE

Regular Session of 2010  
Tuesday, February 3, 2010  
1:15 p.m.

**TESTIMONY ON SENATE BILL NO. 2349 – RELATING TO  
EXTRACURRICULAR ACTIVITIES**

TO THE HONORABLE NORMAN SAKAMOTO, CHAIR, AND COMMITTEE  
MEMBERS

My name is Drake Boyer and I am a homeschooled student in my sophomore year. I am testifying in strong support of Senate Bill No. 2349, which would allow homeschooled students to participate in extracurricular activities such as sports, cheerleading, music, etc.

The problem with current law in Hawaii is that homeschooled students are not able to fully pursue their goals at a high school level. Six-time Pro Bowler Jason Taylor was able to compete with his local high school football team in Pennsylvania even though he was homeschooled in his 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> grade years. More recently, Tim Tebow of the Florida Gators football team and winner of the 2007 Heisman Trophy, the most prestigious award in college football, was homeschooled his entire life! Just nine years before his freshman year of high school, the state of Florida passed a law to allow homeschooled students to participate in extracurricular activities at their local schools. It took only sixteen years to produce a homeschool Heisman Trophy winner. Imagine what talent Hawaii may be losing out on!

I personally have been affected by the current law preventing homeschoolers from participating in extracurricular activities. As my teammates on the Kuikahi Volleyball Club and other island players improve their skills during this current high school season, I am left to sit in the stands and wonder, what if...

I thank this committee for the opportunity to present testimony on this matter and ask that this bill be passed.