

A House Divided: Homeschool Students on School Sports Teams

By Ben Sieck on April 20, 2015

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As the number of high school students who are homeschooled continues to rise, leaders in high school sports across the country face growing interest among these students and their parents to play sports on their local public school teams.

There are approximately 1.7 million students who are homeschooled in the United States – about 3.4 percent of the school-age population – according to a 2014 report from the U.S. Department of Education's National Center for Education. This number has more than doubled since the report was first conducted in 1999.

While the distribution of homeschoolers is fairly even across the grades, high school students account for the highest percentage of homeschoolers (29 percent).

The report indicated the top reason parents choose homeschooling is because of a concern about the environment of other schools (91 percent).

Despite this concern about the environment of schools, interest continues to build in homeschoolers' participation on public schools sports teams. In some states, that option exists, although the requirements vary from state to state with some states requiring part-time enrollment in the local school. In other states, the debate continues as to whether homeschooled students should be allowed to play on the local high school team alongside students who attend classes at the school all day long.

The most recent survey conducted by the National Federation of State High School Associations (NFHS) in 2013 indicated that 30 member state associations allow homeschooled students to play sports at their local public school, up from 24 states in 2007. However, about one-third of these states either require students to be enrolled at the public school part-time and taking some classes, or each school district must approve its own policy. And, in most all of these states, homeschooled students must meet the same academic requirements as public school students.

While proponents of homeschoolers participation on interscholastic sports teams argue that home-school families pay taxes that fund the public schools just like parents of public school students, opponents believe that participation in interscholastic athletics is a privilege, not a right, and that homeschool families have forfeited the right of free public education and, thus, the privilege of playing interscholastic sports.

Based on a ruling made nearly 20 years ago, New York has retained its stance against homeschoolers' participation on public school teams. In 1996, a New York appellate court denied a homeschooler's demand

to play interscholastic sports, concluding that involvement in athletics “is merely an expectation and no fundamental right is involved.” Currently, the New York State Public High School Athletic Association (NYSPHSAA) requires student-athletes to be “bona fide students” at the public school they represent.

Robert Zayas, executive director of the NYSPHSAA, said he gets asked about a dozen times a year about homeschool athlete participation in high school sports, but the answer does not change.

“You can’t be a bona-fide student and a homeschooled student,” he said. “You have to be one or the other.”

This policy is not set by the association, but rather the state education commissioner. Zayas said he thinks it is obviously a challenging situation, but the rules are clear.

“I think membership has held firm on the issue, and since our organization is led by our members, we go with what they want and believe,” he said.

Zayas said he does not think the system needs to be tweaked.

“What we have works,” he said. “We are a volunteer organization, and something like participation in high school sports is not guaranteed.”

West Virginia is another state that does not permit homeschoolers to participate on school teams, and the West Virginia Secondary School Activities Commission’s (WVSSAC) policy has been upheld by the West Virginia Supreme Court.

Butch Powell, WVSSAC assistant executive director, said every fall the organization receives requests from homeschooled students to participate on high school sports teams for that year. The West Virginia state policy, which is set by the state superintendent of schools, requires homeschooled students to attend at least half of every school day in order to participate in athletics.

“Our policy is not entirely prohibitive,” Powell said. “Some of those students choose to enroll for the half day.”

Powell said it is difficult to determine if the system needs tweaking or not.

“Some choose the half day, while others don’t,” he said. “But we believe that to participate on school-based teams, you must walk the halls of the school you play for.”

Iowa is among the states that permit homeschoolers to participate on interscholastic sports teams, a rule which has been in place for nearly 20 years.

Alan Beste, executive director of the Iowa High School Athletic Association (IHSAA), said the association does not keep track of homeschool participation statistics, but the system has rarely been cause for concern.

“We have encountered very few problems with homeschooled students and those issues are resolved at the local school level,” he said.

Iowa, which has allowed homeschooled students to participate in high school sports since 1997, requires athletes to meet eligibility requirements set by the state association as well as the individual schools at which they would be playing.

Tennessee and Ohio are the most recent states that have approved the allowance of homeschoolers on school teams. The Tennessee Secondary School Athletic Association (TSSAA) approved its policy for the 2011-12 season, and the Ohio High School Athletic Association (OHSAA) in 2013.

Homeschooled students in Tennessee must meet 10 eligibility requirements in order to participate, including legal residence in the school district, equivalent academic standards to regular students and all TSSAA eligibility requirements.

In Ohio, homeschool students have the same requirements as regular students, except for being an enrolled student in attendance at the school.

Debbie Moore, OHSAA associate commissioner, said the policy has been going well overall, although some schools are opposed to the OHSAA legislating eligibility standards for schools.

With reasonable theories on both sides of the homeschool issue, the debate is likely to continue in the years ahead. Most recently, requests have been made in Texas, Mississippi and Missouri to allow homeschoolers to participate on school teams.

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