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SYNOPSIS: Existing provisions prevent a child instructed at home by either a private tutor or under the laws relating to church schools to participate in extracurricular activities offered by public schools.

This bill as enacted would be cited as the "Tim Tebow Act." As used in this bill, the term "extracurricular" would mean any school authorized activity including athletics, athletic teams, and band occurring during or outside the regular instructional school day.

This bill would allow a student being taught at home by either a private tutor or under church school law to participate in athletics, athletic teams, and band.

This bill would require participating students to adhere to the same requirements as public school students concerning activity fees, standards of behavior, responsibility, performance, conduct, academic standards, and residency requirements.



will adhere to the same academic and residency requirements as the public school students

1 This bill would specify that insurance
2 coverage provided by a school board for
3 participants in extracurricular activities would
4 cover a child instructed at home by private tutor
5 or under church school law.

6 This bill would also specify that no school
7 team utilizing these students would be impeded from
8 competing against any other public or private
9 school team.

10 This bill would allow such students to
11 participate in these activities in a non-public
12 school, if the non-public school permits such
13 student participation.

14 Amendment 621 of the Constitution of Alabama
15 of 1901, now appearing as Section 111.05 of the
16 Official Recompilation of the Constitution of
17 Alabama of 1901, as amended, prohibits a general
18 law whose purpose or effect would be to require a
19 new or increased expenditure of local funds from
20 becoming effective with regard to a local
21 governmental entity without enactment by a 2/3 vote
22 unless: it comes within one of a number of
23 specified exceptions; it is approved by the
24 affected entity; or the Legislature appropriates
25 funds, or provides a local source of revenue, to
26 the entity for the purpose.

27 The purpose or effect of this bill would be
28 to require a new or increased expenditure of local
29 funds within the meaning of the amendment. However,

1 the bill does not require approval of a local
2 governmental entity or enactment by a 2/3 vote to
3 become effective because it comes within one of the
4 specified exceptions contained in the amendment.

5
6 A BILL

7 TO BE ENTITLED

8 AN ACT

9
10 Relating to education; providing for the Tim Tebow
11 Act; permitting a child instructed at home either by a private
12 tutor or under the church school law to participate in
13 extracurricular activities; to provide certain requirements;
14 to provide for insurance coverage; to specify schools
15 utilizing such students may not be impeded from competing
16 against other schools; and in connection therewith would have
17 as its purpose or effect the requirement of a new or increased
18 expenditure of local funds within the meaning of Amendment 621
19 of the Constitution of Alabama of 1901, now appearing as
20 Section 111.05 of the Official ReCompilation of the
21 Constitution of Alabama of 1901, as amended.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. (a) (1) This act shall be known and may be
24 cited as the Tim Tebow Act.

25 (2) The purpose of this act is to allow students
26 instructed at home by either a private tutor or under the
27 church school law to participate in athletics, athletic teams,
28 and band.

1 (b) A student who is instructed by a private tutor
2 as authorized by law, regulation, or otherwise, may
3 participate in activities sponsored by or engaged in by a
4 public school system, or in a non-public school, if the non-
5 public school permits the student to participate at that
6 school. Such extracurricular activities include athletics,
7 athletic teams, and band, but does not exclude other
8 activities which local school systems open to these students.
9 Such student shall register with the local board of education
10 in the district where the student resides. Such participation
11 is conditioned on each of the following:

each local school can decide if they want to allow access to other activities above and beyond sports and band

12 (1) The student registers with the school an
13 intention to participate in the extracurricular activities as
14 a representative of the school.

15 (2) The student pays any participation or activity
16 fee in an amount equal to the fee charged to public school
17 participants.

18 (3) The student adheres to the same standards of
19 behavior, responsibility, performance, and code of conduct as
20 other participants of the team or activity. If the student is
21 convicted of, or is found to have committed, a felony or a
22 delinquent act which would have been a felony if committed by
23 an adult, regardless of whether adjudication is withheld, the
24 participation of the student in interscholastic
25 extracurricular activities is contingent upon established and
26 published district school board policy.

27 (4) The student adheres to the same academic
28 standards as other participants of the team or activity, with
29 those standards confirmed by appropriate documentation

1 provided by the tutor to the public school providing the
2 activity in which the student will participate. Such students
3 shall be able to participate in curricular activities if that
4 is a requirement of an extracurricular activity, including,
5 but not limited to, weight training or band practice.

6 (5) The student meets the same residency
7 requirements as other students in the school at which the
8 student participates.

9 (6) A student of a public school or private school
10 who has been unable to maintain academic eligibility for
11 participation in extracurricular activities is ineligible to
12 participate in such activities as a student instructed by a
13 private tutor until the student has successfully satisfied
14 standards to regain eligibility that are equivalent to those
15 standards imposed on other students at the same grade level.

16 (7) A student instructed by a private tutor who
17 transfers to a public school before or during the first
18 grading period of the school year is academically eligible to
19 participate in extracurricular activities during the first
20 grading period provided the student has a successful
21 evaluation from the previous year.

22 (c) A student who is taught at home enrolled in a
23 church school as defined in Section 16-28-1 of the Code of
24 Alabama 1975, may participate in activities sponsored by, or
25 engaged in by a public school system, or in a non-public
26 school, if the non-public school permits the student to
27 participate at that school. Such extracurricular activities
28 include athletics, athletic teams, and band, but does not
29 exclude other activities which local school systems open to

1 these students. Such student shall register with the local
2 board of education in the district where the student resides.
3 Such participation is conditioned on each of the following:

4 (1) The student registers with the school an
5 intention to participate in extracurricular activities as a
6 representative of the school for the activity in which the
7 student wishes to participate.

8 (2) The student pays any participation or activity
9 fee in an amount equal to the fee charged to public school
10 participants.

11 (3) The student adheres to the same standards of
12 behavior, responsibility, performance, and code of conduct as
13 other participants of the team or activity. If the student is
14 convicted of, or is found to have committed, a felony or a
15 delinquent act which would have been a felony if committed by
16 an adult, regardless of whether adjudication is withheld, the
17 participation of the student in interscholastic
18 extracurricular activities is contingent upon established and
19 published district school board policy.

20 (4) The student adheres to the same academic
21 standards as other participants of the team or activity, with
22 those standards confirmed by appropriate documentation
23 provided by the church school administrator to the public
24 school providing the activity in which the student will
25 participate. Such students shall be able to participate in
26 curricular activities if that is a requirement of an
27 extracurricular activity, including, but not limited to,
28 weight training or band practice.

1 (5) The student meets the same residency
2 requirements as other students in the school at which the
3 student participates.

4 (6) A student of a public school or private school
5 who has been unable to maintain academic eligibility for
6 participation in extracurricular activities is ineligible to
7 participate in such activities as a student who is taught at
8 home enrolled in a church school until the student has
9 successfully satisfied standards to regain eligibility that
10 are equivalent to those imposed on other students at the same
11 grade level.

12 (7) A student taught at home enrolled in a church
13 school who transfers to a public school before or during the
14 first grading period of the school year is academically
15 eligible to participate in extracurricular activities during
16 the first grading period provided the student has a successful
17 evaluation from the previous year.

18 (d) Any insurance provided by a district school
19 board for participants in extracurricular activities shall
20 cover a participating student instructed by private tutor and
21 a participating student instructed at home enrolled in a
22 church school. If there is an additional premium for such
23 coverage, such participating student shall pay the premium.

24 (e) Other activities or classes may be open by
25 public schools to students instructed at home by either a
26 private tutor or under church school law depending on local
27 school board decisions.

28 (f) (1) No public school team or group shall be
29 impeded from competing against any other public or non-public

1 school's team or group because the team or group utilizes
2 students as provided in this section.

3 (2) Public schools are prohibited from membership in
4 any organization or entity which regulates or governs
5 interscholastic extracurricular activities and discriminates
6 against eligible students in public or non-public schools, or
7 students being taught by private tutor or enrolled in church
8 schools.

9 Section 2. Although this bill would have as its
10 purpose or effect the requirement of a new or increased
11 expenditure of local funds, the bill is excluded from further
12 requirements and application under Amendment 621, now
13 appearing as Section 111.05 of the Official Recompilation of
14 the Constitution of Alabama of 1901, as amended, because the
15 bill requires expenditures only by a school board.

16 Section 3. This act shall become effective
17 immediately following its passage and approval by the
18 Governor, or its otherwise becoming law.