MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Eubanks To: Education

HOUSE BILL NO. 474

AN ACT TO AUTHORIZE HOMESCHOOLED STUDENTS TO RECEIVE CERTAIN OUTPATIENT THERAPY SERVICES IN THEIR RESPECTIVE SCHOOL DISTRICTS; TO REQUIRE THOSE STUDENTS TO BE SUBJECT TO THE SAME ELIGIBILITY REQUIREMENTS AND RULES AND REGULATIONS GOVERNING PARTICIPATION IN THERAPY SERVICES BY STUDENTS IN THE LOCAL SCHOOL DISTRICT; TO PROHIBIT A SCHOOL BOARD FROM IMPOSING ANY REQUIREMENT UPON A HOMESCHOOLED STUDENT SEEKING THERAPY SERVICES WHICH IS NOT IMPOSED UPON FULL-TIME STUDENTS OF THE LOCAL SCHOOL DISTRICT; TO AUTHORIZE THE STATE BOARD OF EDUCATION TO PROMULGATE RULES AND REGULATIONS RELATING TO POLICIES IMPLEMENTED BY LOCAL SCHOOL BOARDS GOVERNING THE DELIVERY OF OUTPATIENT THERAPY SERVICES TO HOMESCHOOLED STUDENTS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) A student who is being educated in a legitimate home instruction program, as defined under the Mississippi Compulsory School Attendance Law (Section 37-13-91), may participate in outpatient therapy services that are made available to students in the school district where the homeschooled student resides. Upon the request of the parent, guardian or legal custodian of a homeschooled student for whom medically necessary outpatient therapy services have been ordered by a licensed medical professional, the school board shall require the local school that includes the grade level of the homeschooled

student to make appropriate arrangements for the delivery of the therapy services to the student at that school. The homeschooled student must reside within the attendance boundaries of the school at which the student is seeking therapy services; however, if the local school that includes the grade level of the homeschooled student does not provide the medically necessary therapy services, the school board must allow the student to receive the therapy services at any school within the district which offers the therapy services sought by the homeschooled student. As used in this section, the term "therapy services" includes speech-language pathology and audiology services, physical therapy and occupational therapy.

(2) A homeschooled student receiving therapy services in a public school and the student's parents must adhere to the same rules and regulations adopted by the local school board governing participation in that therapy by students enrolled in the school. Each local school board shall adopt a policy governing homeschooled student participation in outpatient therapy services, which policy must conform to any rules and regulations adopted by the State Board of Education under subsection (3) of this section. A school board may not impose any requirements on a homeschooled student relating to the student receiving therapy services which are not imposed on full-time students of the local school district.

(3) The State Board of Education may promulgate any rules and regulations the board deems necessary to promote consistency of policies implemented by local school boards throughout the state permitting homeschooled students to receive outpatient therapy services as provided under subsections (1) and (2) of this section.

(4) This section may not be construed to require any homeschooled student to enroll in a school district for the purpose of receiving outpatient therapy services.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.