MAKE-A-LAW! PROGRAM
9th through 12th Grade Curriculum

This curriculum guide is designed to provide students with insight into the legislative process by placing them into the role of legislators debating a bill. The bill provided in this lesson, Assembly Bill No. 2921, is a bill that was re-introduced in the 219th New Jersey State Legislature.

OBJECTIVES
At the completion of this program, students will:
- Understand that debate, negotiation, and compromise are central to the democratic and legislative process;
- Know the process by which a bill becomes a law in the State of New Jersey;
- Have a deeper understanding of the concept of representative democracy.

RELEVANT EDUCATIONAL STANDARDS
The New Jersey State House Make-A-Law! program contributes to the following NJ Cumulative Progress Indicators:

<table>
<thead>
<tr>
<th>CPI #</th>
<th>Cumulative Progress Indicator (CPI)</th>
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<tbody>
<tr>
<td>9.3.GV.1</td>
<td>Explain the purpose and functions of government and public administration and the application of democratic principles in the process of governmental and administrative policymaking.</td>
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<tr>
<td>9.4.12.CT.2</td>
<td>Explain the potential benefits of collaborating to enhance critical thinking and problem solving.</td>
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<tr>
<td>6.3.12.CivicsPD.1</td>
<td>Develop a plan for public accountability and transparency in government related to a particular issue(s) and share the plan with appropriate government officials.</td>
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FORMAT
This 30-minute lesson is designed to encourage student discussion, debate, and participation. The students—not the facilitator—guide the program through their commentary and debate. We encourage facilitators to introduce the program, moderate the experience, and make sure the program stays on task and on time, but the students should dominate the discussion.
PROGRAM OUTLINE

— Introduction to the branches of government and Legislature (5 minutes)
— First vote activity (3 minutes)
— Identification of participant roles (3 minutes)
— Swearing in/Oath of Office (2 minutes)
— Bill introduction (2 minutes)
— Debating General Assembly Bill No. 2921 (Home school participation in extracurricular activities) (10 minutes)
— General Assembly vote (2 minutes)
— The final bill process (3 minutes)

VOCABULARY
Throughout the lesson key vocabulary that should be reinforced are listed in bold type:

Legislative Branch  Compromise
Executive Branch  Legislative Process
Judicial Branch  Simple Majority
Law  Senate
Bill  General Assembly
Debate  Constituent
Negotiation  Lobbyist

MATERIALS
To enhance this interactive activity, we encourage the use of the following materials, but the lesson can be taught using only the materials located on pages 10-22 in this guide.

— Paper
— Pen or Pencil
— Gavel
— Copies of General Assembly Bill No. 2921 (pages 11-13)
— Copies of constituent letters (pages 14-17)
BRANCHES OF GOVERNMENT AND LEGISLATURE (5 MINUTES)
During this activity, we’re going to look at the process of making laws in the State of New Jersey from the perspective of a legislator. We encourage open-ended questions for effective student engagement.

— What do legislators do?
  Legislators make laws. While anyone can have an idea for a bill, only a legislator can sponsor a bill to become a law.

— What is a law?
  Laws are a set of rules of conduct created by government. They provide order, fairness, safety, and community improvements.

— What is the name of the document that presents an idea for a law?
  A bill. Bills can only be written by legislators, but the idea for a bill can come from anyone: legislators, interest groups, the Governor, and citizens—including you!

— Who else is involved with the law-making process?
  In New Jersey, and in the United States, government is divided into three equal branches, all of which deal with laws in some way. Having three branches instead of one makes sure that no one branch is stronger than the other. We call this a system of checks and balances.

  **Legislative:** Makes the laws (New Jersey Senators and General Assembly members)
  **Executive:** Enforces the laws (Chief Executive of New Jersey is the Governor)
  **Judicial:** Interprets the laws (Judges)

— In the New Jersey Legislature there are two houses:
  The upper house is called the Senate. There are 40 Senators, one from each of the 40 legislative districts in New Jersey. Each Senator represents approximately 220,000 people in their district. Senators serve four-year terms.
  The lower house is called the General Assembly. There are 80 General Assembly members, two from each of the 40 legislative districts in New Jersey. Each General Assembly member represents approximately 220,000 people in their district. General Assembly members serve two-year terms.

— How do bills become laws?
  Both houses of the Legislature must pass a bill by a simple majority vote. A simple majority is half of the total number of legislators, plus one.

    Senate: 40 members ÷ 2 + 1 = 21 votes for a simple majority
    General Assembly: 80 members ÷ 2 + 1 = 41 votes for a simple majority
  A bill must have a simple majority in both houses, and must be passed with the same language in the bill. If the bill passes, it is sent to the Governor who decides whether or not to sign the bill into law. A bill cannot become a law without the Governor’s signature.
— How do we decide who our legislators are?

We vote! The citizens of New Jersey are the “boss” of the legislators. We can vote for them if we like their ideas or how they do their job. We can decide to not vote for them if we don’t like their ideas or how they perform as legislators.

— What are the qualifications to become a New Jersey legislator?

Not just anyone can be a member of the General Assembly or Senate. You need to meet certain requirements:

Senate Requirements:
• 30 years old
• United States citizen
• Resident of New Jersey for four years
• Resident of the district you’d like to represent for one year.

General Assembly Requirements:
• 21 years old
• United States citizen
• Resident of New Jersey for two years
• Resident of the district you’d like to represent for one year.

— What qualities make a good legislator?

Kindness, honesty, good listener, intelligent, and ability to see other people’s points of view.

FIRST VOTE ACTIVITY (3 MINUTES)

Before we put your students into the role of a New Jersey General Assembly member, let’s test their skills! Making laws in a democracy is difficult. Even if we all agree that something is a problem, we may not all agree on the solution. For this activity have your students cast their vote:

— What’s your favorite ice cream flavor: Vanilla or Chocolate?

Why do you think that flavor should be chosen? Why can’t we all agree on what flavor is best? The discussion about which flavor is the best and why is an example of debate.

While we may not all be able to agree on which flavor is the best, could we consider other ideas and accept other viewpoints to reach an agreement? We call this process negotiation.

If we were able to negotiate enough to find something that appeases both sides, like vanilla/chocolate swirl ice cream, then we have reached a compromise.

The act of debating, negotiating, compromising, and voting is the legislative process.
PARTICIPANT ROLES (3 MINUTES)
We are going to place your students in the role of legislators, but first let’s talk about who they would encounter at a New Jersey General Assembly session.

— THE PUBLIC GALLERY
The citizens that the Assembly members represent are called constituents. During a legislative session, constituents sit in the public gallery—balcony that overlooks the chamber floor. Citizens in the public gallery are not allowed to speak during a session, but they can speak about a bill earlier in the legislative process as legislators debate bills in what are called committee hearings or committee meetings. Members of the press, executive branch, and lobbyists (people whose business it is to try and influence public policy, lawmaking, and government decisions), may also sit in the public gallery.

— THE FLOOR
The area below the public gallery is called the floor. Legislators sit at individually assigned desks on the chamber floor. There are 80 desks in the General Assembly, and 40 desks in the Senate.

— THE ROSTRUM
The rostrum is a two-tiered platform located at the front of the chamber floor and is where the General Assembly Clerk and Speaker work. The lower level of the platform is for the General Assembly Clerk. The Clerk plays an administrative role and is responsible for taking attendance, announcing the bills, and reporting the vote totals made by the legislators. The Clerk is appointed by the General Assembly Speaker and is not a legislator. The upper level of the platform is for the Speaker of the General Assembly. The Speaker is voted into position by the other members of the legislative body. They typically are from the majority party, they choose what bills are introduced and voted on in the chamber, and determine the rules for discussing a bill in the chamber.

The students will be playing the roles of New Jersey State General Assembly members, which means they have met the following qualifications:
— 21 years old
— United States citizen
— Resident of New Jersey for two years
— Resident of your legislative district for one year

They represent 220,000 of New Jersey’s nine million residents. They are part-time employees that make $49,500 a year. They have been voted into office by the citizens of their legislative district, their constituents, for a two-year term.
The additional roles in this lesson are: Speaker of the General Assembly, General Assembly Clerk, and Governor. Either multiple adults can participate, or a single facilitator can play multiple roles in the interactive program.

- Speaker: The Speaker will swear in the Assembly members, monitor the debate, and announce the bill.
- Clerk: The Clerk will read the bill statement, constituent letters, and assist with recording the votes.
- Governor: The Governor will need to make a decision: veto the bill or sign the bill into law.

**SWARING IN / OATH OF OFFICE (2 MINUTES)**

For students to become Assembly members, they must first be sworn into office. The facilitator should ask the students to stand, raise their right hand, and repeat the Oath of Office:

“I do solemnly affirm . . .

that I will support the Constitution of the United States . . .

and the Constitution of the State of New Jersey . . .

and that I will faithfully discharge . . .

the duties of a General Assembly member . . .

according to the best of my ability.”

(bang gavel) **CONGRATULATIONS AND WELCOME TO THE NEW JERSEY GENERAL ASSEMBLY!**
BILL INTRODUCTION/ GENERAL ASSEMBLY BILL NO. 2921 (2 MINUTES)

Introduce the Assembly members (students) to General Assembly Bill No. 2921 (pages 11-13). Key areas of the bill are listed below. The only areas that need to be read by the Assembly Clerk are the bill and session number (page 11), synopsis (page 11), and statement (pages 12-13):

- Session number: Located on the first page of the bill, the session number (219) references the group of legislators debating the bill.
- Sponsor: The sponsor(s) are the legislators responsible for introducing the bill and its language. The sponsor(s) are identified by the legislative districts and the counties in which their district is located.
- Synopsis: The synopsis is a one or two sentence description of the bill.
- State seal: The New Jersey State seal, featuring Liberty and Prosperity, is located on the front of the bill indicating that is a formal and official document.
- Act and Enacted Sections: These sections of the bill contain detailed legal language indicating who the bill effects, historical and legal precedents that have inspired the creation of the bill, and clarification of language (i.e.: who qualifies as a minor).
- The Statement: The statement is the descriptive text about the bill in non-legal language.

Before the Assembly Clerk reads the statement, ask students to think deeply about what this bill will address and what problems might arise if it becomes a law. Remind students that they are not representing themselves as they did in the first vote (ice cream) activity. They are State General Assembly members representing 220,000 New Jerseyans.

Ask the Clerk to read the bill and session number (page 11), synopsis (page 11), and statement (pages 12-13).

Make sure the students understand the bill: Ask the Assembly members the WHO, the WHAT, the WHERE, the WHEN, and the WHY of the bill.
THE DEBATE/ ASSEMBLY BILL NO. 2921 (10 MINUTES)
Take a preliminary vote: Ask the legislators who would vote for this bill and who would not vote for this bill.
   − Choose an Assembly member who would vote in favor of the bill and appoint them as the sponsor of the bill. Have that Assembly member explain why they think the bill is a good idea and why their fellow legislators should vote for it.
Moderate the debate:
   − Ask the Assembly members to offer responses to the bill. The Speaker of the General Assembly should moderate the debate, restate ideas, and ask questions.
   − Language: In actual sessions, the Speaker uses the following phrase to address Assembly members who stand to speak on a bill, “Assemblyman/woman, do you rise in favor or in opposition to this bill?”

See the bill fact sheet (pages 18-26) for additional information that can be used to facilitate the debate.

Constituent letters (pages 14-17) should be used by the Speaker to inspire counterarguments to opinions offered by legislators. The letters are the most effective debate tool. There are two letters for those in favor of the bill, and two for those opposed to the bill. The constituent letters can be introduced by asking an Assemblymember if they have visited their district office today to check their mail.

Amendments: Depending on the debate, the bill may be amended. You may find the Assembly members are able to compromise to amend the bill. A simple majority is needed for any amendment to be made to a bill.

GENERAL ASSEMBLY VOTE (2 MINUTES)
Before taking a vote:
   − Have the sponsor speak one last time to try to convince their fellow legislators to vote for the bill.
   − Remind the students of any proposed amendments made to the bill.
The Simple Majority Vote: Review with the students how many votes are needed to pass a bill in the NJ General Assembly (41) and Senate (21). Today’s vote should be the simple majority of the student General Assembly body (half + 1). The following phrases are used during voting sessions of the NJ General Assembly:
   − Speaker: “All those in favor signify by voting yea (and raise your hand). All those opposed please signify by voting nay (and raise your hand).” The Clerk should record the votes and make sure the total is equal to the number of participating students.
   − Speaker: “Are all recorded who wish to be recorded? Properly recorded? Close the machines and take a tally.” This statement refers to the electronic voting boards in the legislative chamber.
   − Clerk: “Assembly Bill No. 2921 having received # votes in affirmative, # votes in the negative, I declare the bill passed/defeated. Let the bill take the usual course of (passed/vetoed) bills.”
FINAL BILL PROCESS (3 MINUTES)

— If the bill passes, is it law?

No. First, the bill must go to the other legislative house, the Senate, and pass with a simple majority vote. If the bill passes in the Senate, then it will be sent to the Governor. If the bill is amended, it must go back to the first house for a new vote so that both houses pass the bill with the same language.

— What can the Governor do?

• Sign the bill and make it a law.
• Veto the bill unconditionally (the Legislature can overturn a veto with a ⅔ vote of the membership).
• Veto the bill conditionally, saying that there needs to be changes made before the Governor will sign it into law. (The legislature can overturn a veto with a ⅔ vote of the membership).

Designate an adult as the Governor of New Jersey.

— What action will the Governor take? Sign the bill into law or veto the bill? Why?

— What happens if the bill is signed?

It becomes a law.

— What would happen if the bill is not signed into law?

The sponsor of the bill could reintroduce it to the legislature, incorporating some of the previous perspectives they’ve heard, or not reintroduce the bill, effectively ending the path of the bill.

As of April 2020, Assembly Bill No. 2921 has not been signed into law, has not made it to the Governor, and is currently making its way through the legislative process.

In this exercise students experienced the job of a lawmaker.

— Was the job of a legislator easy?

Legislators are influenced by a variety of forces: citizens and organizations from their legislative districts, the views of the political party they represent, personal beliefs, other legislators, etc. As students might have experienced, it is difficult to make decisions when considering so many factors. As a result, they must debate the issues, negotiate, and compromise to move legislation forward. These are the same skills that students used in the debate of General Assembly Bill No. 2921.

Closing General Assembly session language used by the Speaker of the General Assembly:

“Having completed the business for the General Assembly on DAY, MONTH, DATE, YEAR, I declare this session of the General Assembly closed (bang gavel)”. 
SUPPORTING MATERIALS
The following materials should be used to support the Make-A-Law! Program. The materials will help facilitators and students navigate through the debate process.

GENERAL ASSEMBLY BILL NO. 2921 (PAGES 11-13)
Copy of New Jersey General Assembly Bill No. 2921

CONSTITUENT LETTERS (PAGES 14-17)
Attached are four letters that respond to potential reactions to General Assembly Bill No. 2921. The letters are designed to extend the role-playing of the Make-A-Law! Program to include constituents’ views. Facilitators should use the letters to supply counterarguments to students’ reactions throughout the Make-A-Law! Program. The letters can be read directly, or they can be paraphrased depending on the facilitator’s preference. Depending on the audience you may use as few as one or as many as all of the letters. There is no standard, and the letters should be integrated into the program based upon the students’ discussion.

HOME SCHOOL EXTRACURRICULAR ACTIVITY PARTICIPATION FACT SHEET (PAGES 18–26)
The fact sheet includes definitions, arguments presented for both sides of the issue, examples of legislation from other states, and the history of the legislation in New Jersey.

YOUTUBE VIDEOS
The following videos are available for your convenience on the NJ State House Tours YouTube Channel:

— Subscribe to our YouTube Channel:
ASSEMBLY, No. 2921

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:
Assemblyman JAY WEBBER
District 26 (Essex, Morris and Passaic)
Assemblyman ADAM J. TALIAFERRO
District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS
Requires school districts to allow home-schooled students to participate in school-sponsored extracurricular activities in the student’s resident district.

CURRENT VERSION OF TEXT
As introduced.

(Sponsorship Updated As Of: 2/24/2020)
AN ACT concerning the participation of certain students in extracurricular activities and supplementing chapter 42 of Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. A board of education shall permit a home-schooled student to try out for, and participate in, any school-sponsored extracurricular activity including, but not limited to, clubs, musical ensembles, Statewide interscholastic sports programs, and theatrical productions in the student’s district of residence in accordance with the same criteria established for students enrolled in the district. A home-schooled student who wishes to participate in an extracurricular activity in his resident district shall:
   (1) provide proof that he resides in the district;
   (2) meet the eligibility and try out criteria for participation in the activity; and
   (3) comply with all policies, rules, and regulations of the governing organization of the extracurricular activity.
   b. In the event that the extracurricular activity is interscholastic athletics, the student shall demonstrate to the board of education that he did not transfer to a home-school program for athletic advantage. A student who withdraws from a public school to enroll in a home-school program and who is ineligible to participate in interscholastic athletics at the time of withdrawal from the public school due to his failure to meet academic, behavioral, or eligibility standards, shall be ineligible to compete in interscholastic athletic competition.
   c. If the school-sponsored extracurricular activity requires the completion of a physical examination or medical test as a condition of participation and the school district of residence offers the requisite examination or test to the students enrolled in the school district, the school district shall permit a home-schooled student to access the examination or test and shall publish the dates and times of the examination or test on its website.

2. This act shall take effect immediately.

STATEMENT

This bill requires school districts to allow home-schooled students to participate in any school-sponsored extracurricular activity including, but not limited to, clubs, musical ensembles, Statewide interscholastic sports programs, and theatrical productions in the student’s district of residence in accordance with the same criteria established for students enrolled in the district.
Under the bill, a home-schooled student who wishes to participate in an extracurricular activity in his resident district must:

1. provide proof that he resides in the district;
2. meet the eligibility and try out criteria for participation in the activity; and
3. comply with all policies, rules, and regulations of the governing organization of the extracurricular activity.

In the event that the extracurricular activity involves participation in interscholastic athletics, the student must demonstrate to the board of education that he did not transfer to a home-school program for athletic advantage.

Under the bill, if the extracurricular activity requires the completion of a physical examination or medical test as a condition of participation and the school district of residence offers the examination or test to the students enrolled in the school district, then the school district is required to allow a home-schooled student to access the examination or test and must publish the dates and times of the examination or test on its website.
Dear Assembly Member,

My name is Jasmine Rogers and I am a resident and a high school student in your district. Today my class watched an Assembly committee meeting online and I noticed that you are supporting Assembly Bill 2921.

I am writing because I participate in many of my school’s extracurricular activities, including the theater club, choir and our jazz ensemble. As I am sure you are aware, many of these clubs, especially musical ensembles, have a cap of how many students can participate.

If you were to pass this bill and the governor signs it into law, this could mean more competition to be a part of these groups. I do not feel this is fair to the students that are actually enrolled in public schools. Many students (including myself) hope to use these activities not only for the wonderful experience, but also to help me with acceptance to college, where I would like to study music.

I feel strongly that these activities should be reserved for students enrolled in New Jersey’s public schools. I hope this letter will help you reconsider your support of Bill 2921.

Sincerely,
Jasmine Rogers
Dear Assembly Member,

My name is Barbara Roberts and I am a life-long resident of your district. I am writing because I heard that you are supporting Assembly Bill number 2921. Please take a moment to consider a different point of view.

All three of my children attend public school and participate in extracurricular activities; my two oldest sons play sports and my daughter is in choir. These activities have been a wonderful experience for them, and serve as a safe place for them after school. As a working mother, I take comfort knowing my kids are at school after hours and not home alone. From my understanding and research, most homeschool children have a parent home during the day, and not just an at-home tutor. Furthermore, my kids have to maintain a certain GPA to participate in activities; how are you tracking GPAs for homeschool children?

If you allow homeschool students to participate in these activities, there will be less opportunities for public school kids that are not only talented, but would otherwise sit home alone until parents return from their work days.

I appreciate your help and ask that you please send me a response, as I am not the only parent in your district that feels this way. I do hope this letter will help you reconsider your stance on Bill 2921 and think about the kids that really need these opportunities.

Sincerely,
Barbara Roberts
Dear Assembly Member,

My name is Joann Morris and I am a resident of your district. I am writing because I heard that you are opposing Assembly Bill number 2921; I would like to explain why I feel you should support it.

I choose to homeschool my son for various reasons, including his negative experiences while enrolled in a public school. My son is shy, and other students often bullied him. I felt it best, as a former teacher, that we work one on one at home. I also know many homeschool families that had similar experiences with public schools, and have chosen to homeschool as well.

However, my son is a gifted musician and my family cannot afford additional music education while homeschooling. It was our hope that a bill like this would be discussed soon and that our family would have access to public school resources, as I feel every family that pays taxes should. He will also meet like-minded students and make friends outside of the neighborhood.

I appreciate your help and ask that you please send me a response informing me if you are able to pass the Bill that would make all of New Jersey’s students eligible for these services. I do hope this letter will help you reconsider your stance.

Sincerely,
Joann Morris
Dear Assembly Member,

My name is Jason McKenna and I am a high school student and a resident of your district. I am writing because I heard you are opposing Assembly Bill number 2921 and would like to share my point of view.

I have played football all my life. I have played since I was five years of age and was a running back on my junior high’s team. However, once my family moved to New Jersey and my mother stopped working, my parents decided it was best to homeschool me for high school.

I feel this bill should be passed because in many cases, it is not the student’s choice to be homeschooled. My family is also aware that there are local sporting clubs to join, but it is not the same experience as being on a high school team. For example, high school coaches usually have many years of football experience and could help guide me with college football programs. In addition, local clubs can be a mix of ages and abilities, and it can be difficult for experienced players to get the attention we need to excel.

I hope you will consider my letter and let homeschool students join New Jersey’s public-school teams. It would be great for homeschool students to have options on what type of team or club is best for our skill levels.

Sincerely,

Jason McKenna
GENERAL ASSEMBLY BILL NO. 2921 FACT SHEETS

Information on the following pages may be integrated into the debate to help encourage discussion and highlight counterarguments.

DEFINITIONS

Nonpublic school: According to the New Jersey Department of Education, a nonpublic school is an elementary or secondary school within the state, other than a public school, offering education for grades kindergarten through 12, or any combination of them, wherein any child may legally fulfill compulsory school attendance requirements and which complies with the requirements of Title VI of the Civil Rights Act of 1964 [N.J.S.A. 18A:46A-2(b)]. This DOES NOT include charter schools.

Interscholastic sports programs: activities that are conducted between or among schools.

EXPLORING BOTH SIDES OF GENERAL ASSEMBLY BILL NO. 2921

There are many arguments on either side of this bill. The following is a sample of specific issues that you may raise with students during the Make-a-Law! Program. Please read the constituent letters for more information.

In support of the bill:

— Denying nonpublic school students access to public school interscholastic sports programs is an act of discrimination and denies them equal protection under the law.

— Many families choose nonpublic education due to religious reasons. It is an unfair burden on a citizen’s freedom of religious expression if that right also means that he or she is denied access to public school activities.

— If a nonpublic school student meets the same qualifications as a public school student, he or she should have access to the same educational and extracurricular opportunities.

— Nonpublic school families pay taxes. Just as it is not acceptable to deny nonpublic school families from publicly funded facilities such as libraries, hospitals, and parks, it is also not acceptable to exclude them from public school programs.
In opposition of the bill:

− Nonpublic school students might crowd out public school students from interscholastic sports.

− Nonpublic school families have chosen an educational path which may mean forgoing certain opportunities, like interscholastic sports programs. If sports participation is that important to a family, steps should be taken to enroll their child/ren in a public school.

− Grading standards may be different in public schools compared to nonpublic schools. It is impossible to ensure that students are achieving the same academic goals when they are in different environments. Therefore, public school students may have to work harder to maintain grades that give them participation rights in interscholastic sports or vice versa.

− Public school administrators will be burdened with ensuring that nonpublic school sport participants meet the eligibility requirements of this law, drawing their focus away from other tasks.

STATISTICS
According to a United States Department of Education 2011-2012 survey, the following numbers of private schools\(^1\), students, full-time equivalent (FTE) teachers, and 2010-11 high school graduates were in the United States and New Jersey:

<table>
<thead>
<tr>
<th>Locations</th>
<th>Schools</th>
<th>Students</th>
<th>FTE teachers</th>
<th>High school graduates 2010–11</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States</td>
<td>30,861</td>
<td>4,494,845</td>
<td>420,880</td>
<td>305,842</td>
</tr>
<tr>
<td>New Jersey</td>
<td>1,289</td>
<td>166,508</td>
<td>16,847</td>
<td>12,979</td>
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1. According to this survey, a private school is a school that is not supported primarily by public funds. It must provide classroom instruction for one or more of grades K–12 (or comparable ungraded levels), and have one or more teachers. Organizations or institutions that provide support for home schooling but do not offer classroom instruction for students are not included. These numbers include schools in which kindergarten is the highest grade level of instruction.
Nonpublic schools include homeschooled children. In New Jersey, the Legislature, under the compulsory education law (N.J.S.A. 18A:38-25), has permitted children to receive “equivalent instruction elsewhere than at school,” including the home (Source: http://www.state.nj.us/education/genfo/faq/faq_homeschool.htm).

Because New Jersey parents are not required to inform school districts of the intent to home school, homeschooled student statistics for New Jersey are difficult to discern. According to the United States Department of Education, in the spring of 2011, an estimated 1.77 million students (1,770,000) were homeschooled in the United States.

A child’s district of residence corresponds to where the child’s parents reside. Therefore, if a student boards at a nonpublic school, the district of residence would not be the same as the boarding school.

Currently in New Jersey, the New Jersey State Interscholastic Athletic Association (NJSIAA) does not have any ruling on nonpublic school students’ participation in interscholastic sports. However, on November 9, 2011, the organization did amend its bylaws to make it clear that local school districts may allow homeschooled students to compete in interscholastic sports, provided the student (1) resides in the district for which he or she is playing, (2) obtains approval from his or her local school board and principal, (3) demonstrates that he or she is academically qualified and is receiving an equivalent education, and (4) complies with all requirements imposed on other members of the team. Similarly, the New Jersey Department of Education’s website states that local boards of education may allow homeschooled students “to participate in curricular and extracurricular activities or sports activities.”
OTHER STATE LEGISLATION AND POLICY
Source: www.hslda.org

Alaska
Effective July 1, 2013, a full-time student who is enrolled in grades 9-12 in an “alternative education program that is located entirely in the state and that does not offer interscholastic activities is eligible to participate in any interscholastic activities program available in a public school” if certain requirements are met.

Arizona
Homeschooled students are allowed to participate in the public schools’ interscholastic activities “in the same manner” as pupils who are enrolled in the public schools.

Arkansas
As of April 22, 2013, homeschooled students have the right to pursue sports and other interscholastic activities at their local public school if they score at the 30 percentile or higher on a nationally recognized norm-referenced test.

California
Rule 305 of the California Interscholastic Federation prohibits homeschoolers from playing on public school teams.

Colorado
Children participating in a nonpublic, home-based education program are allowed equal access to the public schools’ extracurricular and interscholastic activities.

Florida
Home-educated students are eligible to participate in the public schools’ interscholastic extracurricular activities.

Hawaii
Individual schools and school districts have the authority to decide whether to allow homeschooled students to participate. Policies vary according to district.

Idaho
Any student who receives educational instruction outside a public school classroom is allowed to dual enroll in a public school to participate in any public school program, including non-academic activities and post-secondary programs.
Illinois
Nonpublic school students may request to enroll part-time in public schools. The school board has the authority to accept such students into part-time attendance with restrictions but is not required by law to do so.

Indiana
The Indiana High School Athletic Association rules provide that a student enrolled full time in a nonpublic, non-accredited high school “may have eligibility” to play on teams of his or her local public school. The student must be enrolled in and attending one class at the public school for at least one full credit.

Iowa
Students receiving “competent public instruction” may dually enroll with the public school to participate in any academic, instructional, or extracurricular activities offered by the school district.

Louisiana
On January 29, 2013, the Louisiana Supreme Court struck down the state statute (Louisiana Revised Statutes Annotated § 17:236.3) which had allowed home study students to participate in athletic activities.

Maine
Students receiving home instruction may enroll in any classes at the appropriate public school. This includes all academic, co-curricular, and extracurricular activities.

Maryland
An intermediate appellate court ruled against private school students who sought to participate in a public school extracurricular activity.

Massachusetts
Several trial court decisions have ruled that homeschoolers must be allowed to participate on public school teams (because superintendents are allowed to approve home school programs).

Michigan
The Michigan Department of Education states that in order to participate in extracurricular activities at the public school, the student “should be enrolled part-time in the public school.” However, the Michigan High School Athletic Association’s eligibility rules require a student to be "on the school records for at least 66% of full credit load potential for a full-time student" in order to play sports for a member school.
**Minnesota**
School districts “shall allow all resident pupils receiving instruction in a home school . . . to be eligible to fully participate in extracurricular activities on the same basis as public school students.” This does not include co-curricular activities.

**Montana**
The Supreme Court of Montana ruled that school district policy that kept nonpublic school students from participating in sports programs was “reasonable.”

**Nebraska**
According to Bylaw 2.5 of the Nebraska School Activities Association, a student must be enrolled in at least 20 hours per week during the current and previous semester to represent a high school in athletic or non-athletic interscholastic competition.

**Nevada**
The board of trustees of the school district must allow homeschooled students to participate in classes, extracurricular and interscholastic activities, and sports in the district in which the student resides.

**New Hampshire**
Home-educated students have access to public school curricular courses and co-curricular programs.

**New Mexico**
A home school student is eligible to participate in up to three school district activities at the public school in the attendance zone in which the student resides.

**New York**
An appellate court ruled against homeschoolers who sought access to public school interscholastic sports. In addition, the Commissioner of Education’s regulations allow a nonpublic school student in grades 9-12 to participate in an interscholastic public school sport only if she or he is a “bona fide” student.

**North Dakota**
A homeschooled student may participate in extracurricular activities in his or her local school district.

**Ohio**
A public school must allow local homeschoolers to participate in extracurricular activities.
Oregon
School districts must allow homeschooled students access to public school interscholastic activities.

Pennsylvania
Homeschooled students meeting the same eligibility criteria as public school students may participate in extracurricular activities at their public school district of residence.

Rhode Island
Homeschooled students are eligible to participate in activities sponsored by the Rhode Island Interscholastic League.

South Carolina
Homeschooled students may participate in "interscholastic activities" at their local public school if they have been homeschooled "for a full academic year prior to their participating in [the] interscholastic activity."

South Dakota
A homeschooled student can participate in public school sports subject to the approval of the school board.

Tennessee
The Tennessee Secondary School Athletic Association (TSSAA) permits a homeschooled student to participate in public school extracurricular athletics if that student’s parent has filed a notice of intent for that student and has otherwise complied with the requirements of Tennessee Code.

Texas
Individual schools and school districts have the authority to decide whether to allow homeschooled students to participate in classes and activities.

Utah
Homeschooled students are eligible to participate in extracurricular activities at a public school subject to the same requirements as public school students.

Vermont
School boards are required to adopt rules to integrate home study students “into its schools through enrollment in courses, participation in co-curricular and extracurricular activities, and use of facilities.”
Virginia
A school board has the option of allowing homeschooled students to take classes. A 1973 attorney general opinion says, “there is no law which prohibits a school board from accepting” a private school student who wants to take an individual class at a public school.

Washington
Homeschoolers have access to interscholastic contests and competitions because the Washington Interscholastic Activities Association (WIAA) deems homeschoolers to be “regular members” of the local public school where they have filed their notice of intent to home school.

West Virginia
The West Virginia Supreme Court has ruled that homeschooled students can be prohibited from participating in interscholastic athletics with public school students.

Wyoming
State law permits non-enrolled students to participate in any activities that are sanctioned by the Wyoming High School Activities Association (WHSAA) and are offered by the school district in which the student resides.

HISTORY OF GENERAL ASSEMBLY BILL NO. 2921
This bill was first introduced in the Senate during the 2012-2013 legislative session. Below is the legislative history:

2012-2013 Session
S2115
Primary Sponsor: Michael Doherty and Steven Oroho
Introduced to Senate and referred to the Senate Education Committee on 6/28/2012

A3348
Primary Sponsor: Donna Simon and Jay Webber
Introduced to Assembly and referred to the Assembly Education Committee on 10/11/2012
2014-2015 Session
S1674
Primary Sponsor: Michael Doherty
Introduced to the Senate and referred to the Senate Education Committee on 3/17/2014

2014-2015 Session (continued)
A267
Primary Sponsor: Donna Simon and Jay Webber
Introduced to the Assembly and referred the Assembly Education Committee on 1/16/2014

2016-2017 Session
A2723
Primary Sponsor: Jay Webber
Introduced to the Assembly and referred to Assembly Education Committee on 2/8/2016

S582
Primary Sponsor: Michael Doherty
Introduced to the Senate and referred to the Senate Education Committee on 1/12/2016

2018-2019 Session
A301
Primary Sponsor: Jay Webber, Adam Taliaferro
Introduced to the General Assembly on 1/9/2018
Referred to the General Assembly Education Committee 1/9/2018

S1445
Primary Sponsor: Michael Doherty
Introduced to the Senate 2/1/2018
Referred to the Senate Education Committee 2/1/2018