
A BILL FOR AN ACT

RELATING TO EDUCATION EQUITY.

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

1 SECTION 1. The legislature finds that there is inequity in
2 the state public school system. Families who choose to
3 homeschool their children contribute to the public education
4 system through the payment of state taxes; however, homeschooled
5 students are currently excluded from many publicly-funded
6 extracurricular programs, including athletics, academic teams,
7 clubs, music, and other after-school activities offered by
8 public high schools.

9 The legislature further finds that extracurricular
10 activities foster critical social, emotional, and leadership
11 development in students. For homeschooled students, who may
12 have limited access to structured peer interactions, inclusion
13 in public school extracurricular programs could provide
14 opportunities to build teamwork, confidence, and a sense of
15 community belonging. These activities also help students
16 prepare for higher education, the workforce, and civic
17 engagement.



1 The legislature also finds that several other states have
2 recognized the need to address this inequity and have adopted
3 policies authorizing homeschooled students to participate in
4 public school extracurricular activities. Ten states, including
5 Arizona, Colorado, Florida, Idaho, Iowa, Maine, North Dakota,
6 Oregon, Utah, and Washington, have enacted "equal access"
7 legislation requiring public schools to permit homeschooled
8 students to participate in sports and related programs. An
9 additional eighteen states permit participation under specific
10 conditions, including local school district approval, part-time
11 enrollment, or dual enrollment. It is the intent of the
12 legislature to align Hawaii's public school extracurricular
13 participation policy with those of these other states.

14 Accordingly, the purpose of this Act is to promote and
15 establish equitable access to department of education
16 extracurricular programs for all taxpaying families while
17 ensuring appropriate safeguards regarding eligibility,
18 liability, and fairness.

19 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
20 amended by adding a new section to part II, subpart C, to be
21 appropriately designated and to read as follows:



1 "§302A- Participation in extracurricular activities;
2 homeschooled students; requirements. (a) Beginning with the
3 2026-2027 school year, children who are homeschooled pursuant to
4 section 302A-1132(a)(5) and who would otherwise be eligible for
5 enrollment in a public high school shall be eligible to
6 participate in extracurricular activities offered, administered,
7 facilitated, or funded by the department, including athletics,
8 academic competitions, music, drama, and school-sponsored clubs.

9 Eligibility shall be limited to the public high school that
10 each homeschooled child would otherwise be required to attend
11 based on the child's residential address.

12 (b) Pursuant to subsection (a), participation in
13 department extracurricular activities shall be subject to all
14 requirements imposed upon enrolled public high school students,
15 including:

16 (1) Documentation of the child's current homeschooled
17 status, including:

18 (A) A properly submitted and acknowledged notice of
19 intent to home educate; and

20 (B) A copy of the child's most recent annual progress
21 report, as required by the department;



- 1 (2) Compliance with academic eligibility standards, as
2 determined by the department;
- 3 (3) Compliance with vaccination and annual physical
4 fitness examination requirements;
- 5 (4) Documentation of current health insurance coverage or
6 adequate injury liability coverage;
- 7 (5) Submission of a liability waiver, signed by the
8 child's parent or guardian, acknowledging the
9 assumption of risk and releasing the State,
10 department, school, and department employees from
11 liability, except in cases of gross negligence;
- 12 (6) Compliance with applicable codes of conduct, rules,
13 expectations, and tryout or audition procedures
14 required of enrolled public school students; and
- 15 (7) Compliance with all applicable athletic eligibility
16 and transfer rules, including rules set by the
17 department, Hawaii High School Athletic Association,
18 or other governing bodies for interscholastic
19 competition. Homeschooled students shall be subject
20 to the same transfer restrictions as enrolled public
21 school students and shall not participate in athletic



1 activities at a school outside their residential
2 attendance zone unless otherwise permitted pursuant to
3 existing transfer policies.

4 (c) Participation by eligible homeschooled students shall
5 be subject to availability and program capacity for acceptance
6 of new participants; provided that public high schools may
7 prioritize the participation of enrolled students, when
8 necessary, as determined by each school principal.

9 (d) Notwithstanding any other law to the contrary,
10 participation in department extracurricular activities shall be
11 a privilege, which may be revoked according to eligibility
12 requirements, codes of conduct, and other applicable rules or
13 regulations. Nothing in this section shall be construed as
14 establishing a legal right to participate in any department
15 extracurricular activity.

16 (e) The department shall adopt rules pursuant to
17 chapter 91 to implement this section, including the development
18 of standardized application forms, liability waivers,
19 eligibility documentation, and procedures for coordination
20 between homeschool families and appropriate school
21 administrators or officials.



1 (f) Each complex area and public high school shall
2 designate a position that shall be responsible for facilitating
3 and administering the participation of eligible homeschooled
4 students in applicable extracurricular activities.

5 (g) The department may adopt any additional rules,
6 policies, or procedures that are necessary for implementation of
7 this section and that are consistent with the intent of this
8 section."

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

11
INTRODUCED BY:



JAN 20 2026



H.B. NO. 1634

Report Title:

DOE; Home School; Homeschooled Students; Public Schools;
Extracurricular Activities; Equitable Access

Description:

Requires the Department of Education to permit the participation of eligible homeschooled students in public high school extracurricular activities, subject to certain requirements and limitations.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

