

The Senate Education and Youth Committee offered the following substitute to SB 149:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
2 elementary and secondary education, so as to provide for adoption of policies and procedures  
3 by local boards of education regarding school sponsored clubs; to provide for a short title;  
4 to provide for definitions; to provide for annual notification by local school systems to  
5 parents and legal guardians; to require annual written parental or guardian permission for  
6 membership or participation in a school sponsored club; to provide that no new school  
7 sponsored club may be established or operated unless the notification requirements have been  
8 met; to provide for the withholding of state funds by the State Board of Education; to provide  
9 for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 style="text-align:center">**SECTION 1.**

12 This Act shall be known and may be cited as the "Parental Equal Access to Information Act."

13 style="text-align:center">**SECTION 2.**

14 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
15 secondary education, is amended in Article 16, relating to students, by inserting a new part  
16 to be designated Part 5 to read as follows:

17 style="text-align:center">"Part 5

18 20-2-785.

19 (a) As used in this Code section, the term:

20 (1) 'Competitive interscholastic activity' means functions held under the auspices or  
21 sponsorship of a school or local school system that involves its students in competition  
22 between individuals or groups representing two or more schools. This term shall not  
23 include band or chorus.

1 (2) 'School sponsored clubs' means those organizations, both curriculum related and  
2 noncurriculum related, created by the school or by the local school system and under the  
3 sponsorship, direction, and control of the school or local school system in which students  
4 may elect to participate during noninstructional periods of the school day or school year.  
5 Such term shall also include organizations which are given permission by the school or  
6 local school system to use school facilities, materials, equipment, or property, including  
7 school buses, but which do not have a faculty sponsor or leader. This term shall not  
8 include competitive interscholastic activities.

9 (b) Prior to the 2006-2007 school year, local boards of education shall adopt policies  
10 concerning the approval and operation of school sponsored clubs. Prior to the adoption of  
11 such policies, local boards of education must allow timely and complete public review of  
12 such policies. Such policies shall:

13 (1) Be posted in a prominent place on each local school system's website. If an  
14 individual school within the local school system maintains a website, such policies must  
15 be posted in a prominent place on the school website;

16 (2) Require that all school sponsored clubs be clearly designated as under the  
17 sponsorship of the school or local school system or under the sponsorship of another  
18 entity which has permission to use school facilities; and

19 (3) Provide that prior to a student participating in the school sponsored club the student's  
20 parents or guardians must be notified of the name of the club; the mission or purposes of  
21 the club; the faculty or other adult sponsor or facilitator of the club; the club's planned  
22 activities, events, or educational content; whether the club is affiliated with any regional,  
23 state, or national organization; and any financial requirements, such as dues, for a student  
24 to join or become a member of a school sponsored club.

25 An annual notification utilizing the student handbook or other appropriate method shall  
26 satisfy the provisions of this subsection.

27 (c) The annual notification referenced in subsection (b) of this Code section shall require  
28 parents or guardians to provide written permission for a student to join or participate in any  
29 particular school sponsored club and any activities of that club. Schools shall not allow  
30 students whose parents or guardians have not provided written permission to join or  
31 participate in that school sponsored club or any activity of that club.

32 (d) No new school sponsored club may be established or operated unless the notification  
33 required in subsections (b) and (c) of this Code section has been provided.

34 (e) The State Board of Education shall have the authority to withhold funds, pursuant to  
35 Code Section 20-2-243, to school systems which allow a student to participate in a school  
36 sponsored club when such student's parents or guardians have not provided written  
37 permission."

**SECTION 3.**

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- 2 All laws and parts of laws in conflict with this Act are repealed.