

House Bill 1055

By: Representatives Jasperse of the 11th, Carpenter of the 4th, and Tarvin of the 2nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to other educational programs under the "Quality Basic Education Act,"
3 so as to authorize home study students to participate in extracurricular and interscholastic
4 activities in the student's resident public school system; to provide that home study students
5 shall complete one qualifying online course in a core academic subject facilitated by the
6 resident school system for each semester of the regular school year during any part of which
7 the home study student participates in an extracurricular or interscholastic activity; to provide
8 for eligibility requirements; to provide for participation at a particular public school; to
9 provide for participation fees; to provide for definitions; to amend Code Section 20-2-690
10 of the Official Code of Georgia Annotated, relating to educational entities and requirements
11 for private schools and home study programs, so as to provide parents and guardians
12 authority to execute documents for verification purposes; to provide for a short title; to
13 provide for related matters; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 This Act shall be known and may be cited as the "Equal Opportunity for Access in Education
17 Act."

18 **SECTION 2.**

19 Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
20 relating to other educational programs under the "Quality Basic Education Act," is amended
21 by adding a new Code section to read as follows:

22 "20-2-319.5.

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

24 (1) 'Athletic association' means any association of schools or any other similar
25 organization which acts as an organizing, sanctioning, scheduling, or rule-making body
26 for interscholastic activities in which public schools in this state participate.

27 (2) 'Core academic subject' means English, reading, or language arts; mathematics;
28 science; social studies; and foreign languages.

29 (3) 'Extracurricular activities' means public school-sponsored activities in which students
30 take part on a voluntary basis; which do not offer or provide school or course credits;
31 which are generally conducted outside regular school hours or, if conducted in whole or
32 in part during regular school hours, at times agreed to by the participants and approved
33 by a school official; and which are managed and operated under the guidance of a
34 teacher, other school employee, or other adult approved by a school official. Examples
35 of extracurricular activities include but are not limited to intramural and interscholastic
36 athletics; band, chorus, and other musical activities; drama and other theatrical activities;
37 and school clubs and organizations as provided in subsection (a) of Code Section
38 20-2-705.

39 (4) 'Home study student' means a student in a home study program that meets the
40 requirements of subsection (c) of Code Section 20-2-690.

41 (5) 'Interscholastic activities' means extracurricular activities, public school-sponsored
42 athletic programs, and other public school-sponsored programs that are sanctioned or
43 supported by a state-wide interscholastic activities governing body, including but not
44 limited to an athletic association.

45 (6) 'Qualifying online course' means an online course in a core academic subject which
46 is facilitated by a home study student's resident school system by applying one or more
47 of the mechanisms provided in paragraphs (1) through (4) of subsection (b) of Code
48 Section 20-2-319.4.

49 (7) 'Resident school' means the public school in which a home study student would be
50 enrolled based on his or her residence.

51 (8) 'Resident school system' means the public school system in which a home study
52 student would be enrolled based on his or her residence.

53 (b) A home study student shall be eligible to participate in extracurricular activities and
54 interscholastic activities under the sponsorship, direction, and control of the resident school
55 or resident school system, provided that each of the following requirements is met:

56 (1) At least 30 calendar days before the first school day of the semester in which a home
57 study student will enroll in a qualifying online course as provided in subparagraph (A)
58 of paragraph (2) of this subsection, a parent or guardian of the home study student
59 provides to the principal of the resident school and the superintendent of the resident
60 school system:

61 (A) Written notice that the home study student intends to participate in one or more
 62 specified extracurricular or interscholastic activities as a representative of the resident
 63 school or resident school system; and

64 (B) A copy of the home study student's most recent annual progress assessment report,
 65 as provided for in paragraph (8) of subsection (c) of Code Section 20-2-690, along with
 66 written verification by the home study program instructor that the home study student
 67 is currently receiving a passing grade in each home study program course, is
 68 maintaining satisfactory progress toward advancement, and meets the requirements for
 69 participation in the specified extracurricular or interscholastic activity;

70 (2)(A) The home study student completes and passes one qualifying online course
 71 during the fall or spring semester immediately preceding the semester during which the
 72 home study student participates in an extracurricular or interscholastic activity.

73 (B) For each semester of the regular school year during any part of which the home
 74 study student participates in an extracurricular or interscholastic activity, the home
 75 study student enrolls in and attempts to complete one qualifying online course;

76 (3) The home study student meets established age, academic, behavioral, conduct,
 77 disciplinary, immunization, physical examination, residence, zoning, and other rules and
 78 requirements applicable to all students for participation in the specified extracurricular
 79 or interscholastic activity and provides any supporting documentation required by the
 80 resident school;

81 (4) The home study student abides by the same student code of conduct and
 82 transportation policies as students enrolled at the resident school who are participating
 83 in the same extracurricular or interscholastic activity as the home study student;

84 (5) The home study student completes the tryout process or the equivalent for
 85 participation in the specified extracurricular or interscholastic activity applicable to all
 86 students for participation in the specified extracurricular or interscholastic activity and
 87 provides any supporting documentation required by the resident school; and

88 (6) For an extracurricular or interscholastic activity which involves a competitive
 89 selection process, the home study student is selected.

90 (c) A student who withdraws from a public school to participate in a home study program
 91 shall be ineligible for participation in any extracurricular or interscholastic activity for 12
 92 months from the date of the declaration of intent to utilize a home study program provided
 93 to the Department of Education as provided under paragraph (2) of subsection (c) of Code
 94 Section 20-2-690.

95 (d) For purposes of this Code section, participation in an extracurricular or interscholastic
 96 activity includes participation in the following school-sponsored activities related to the
 97 extracurricular or interscholastic activity: tryouts; off-season practice, rehearsal, or

98 conditioning; summer/holiday practice, rehearsal, or conditioning; in-season practice,
 99 rehearsal, or conditioning; and all exhibitions, contests, and competitions, including
 100 scrimmage, preseason, regular season, postseason, and invitational.

101 (e) A resident school, a resident school system, or an athletic association shall not deny a
 102 home study student the opportunity to try out and participate if selected in any
 103 extracurricular or interscholastic activities available in the resident school or resident
 104 school system if the student meets the requirements contained in subsection (b) of this
 105 Code section and is not ineligible under subsection (c) of this Code section.

106 (f) No public high school which receives funding under this article shall participate in,
 107 sponsor, or provide coaching staff for interscholastic activities which are conducted under
 108 the authority of, conducted under the rules of, or scheduled by any athletic association that
 109 does not deem eligible for participation a home study student who meets the requirements
 110 contained in subsection (b) of this Code section and is not ineligible under subsection (c)
 111 of this Code section.

112 (g) Home study students shall participate in extracurricular or interscholastic activities on
 113 behalf of such home study student's resident school.

114 (h) The specific assigned program of each home study student enrolled in a qualifying
 115 online course shall be included for a one-sixth segment of the school day by the home
 116 study student's resident school system in reports made to the Department of Education as
 117 provided in subsection (a) of Code Section 20-2-160."

118 **SECTION 3.**

119 Code Section 20-2-690 of the Official Code of Georgia Annotated, relating to educational
 120 entities and requirements for private schools and home study programs, is amended by
 121 revising paragraph (6) of subsection (c) as follows:

122 "(6) The parent or guardian shall have the authority to execute any document required
 123 by law, rule, regulation, or policy to evidence the enrollment of a child in a home study
 124 program, the student's full-time or part-time status, the student's grades, or any other
 125 required educational information. This shall include, but not be limited to, documents for
 126 purposes of verification of enrollment by the Department of Driver Services, for the
 127 purposes set forth in subsection (a.1) of Code Section 40-5-22, documents required
 128 pursuant to Chapter 2 of Title 39 relating to employment of minors, documents for
 129 purposes of verification as set forth in subsection (b) of Code Section 20-2-319.5, and any
 130 documents required to apply for the receipt of state or federal public assistance;"

131 **SECTION 4.**

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