

Senate Bill 51

By: Senators Thompson of the 14th, Anavitarte of the 31st, Harbin of the 16th, Payne of the 54th, Robertson of the 29th and others

AS PASSED SENATE

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 in grades six through 12 to participate in
4 extracurricular and interscholastic activities in the student's resident public school system;
5 to provide that home study students shall complete one qualifying course during any
6 semester the student participates in an extracurricular or interscholastic activity in the
7 student's resident public school system; to provide for eligibility requirements; to provide for
8 participation at a particular public school; to provide for participation fees; to provide for
9 definitions; to amend Code Section 20-2-690 of the Official Code of Georgia Annotated,
10 relating to educational entities and requirements for private schools and home study
11 programs, so as to provide parents and guardians authority to execute documents for
12 verification purposes; to provide for a short title; to provide for related matters; to repeal
13 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 "Dexter Mosley Act."

S. B. 51

- 1 -

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SECTION 2.

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

21 "20-2-319.6.

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

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

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

36 (3) 'Home study student' means any student in grades six through 12 who is in a home
37 study program that meets the requirements of subsection (c) of Code Section 20-2-690.

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

42 (5) 'Qualifying course' means an online course facilitated by the home study student's
43 resident school system:

44 (A) By applying one or more of the mechanisms provided in paragraphs (1) through (4)
45 of subsection (b) of Code Section 20-2-319.4;

46 (B) By way of a dual enrollment course as provided in Code Section 20-2-161.3; or

47 (C) By way of an on-site course required for participation in the designated
48 extracurricular and interscholastic activities.

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

51 (7) '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 course as provided in subparagraph (A) of
58 paragraph (2) of this subsection, a parent or guardian of the home study student provides
59 to the principal of the resident school and the superintendent of the resident school
60 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) For any semester of the regular school year during any part of which the home study
71 student participates in an extracurricular or interscholastic activity, the home study
72 student enrolls in and attempts to complete one qualifying course;

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

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

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

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

88 (c) A student who withdraws from a public school to participate in a home study program
89 shall be ineligible for participation in any extracurricular or interscholastic activity for 12
90 months from the date of the declaration of intent to utilize a home study program provided
91 to the Department of Education as provided under paragraph (2) of subsection (c) of Code
92 Section 20-2-690; provided, however, that such 12 month restriction on eligibility may be
93 waived due to hardship according to the same rules and procedures applied by a resident
94 school, a resident school system, or an athletic association to receive, review, and grant or
95 deny hardship waiver applications on behalf of students who attend public or private
96 schools.

97 (d) For purposes of this Code section, participation in an extracurricular or interscholastic
98 activity includes participation in the following school-sponsored activities related to the
99 extracurricular or interscholastic activity: tryouts; off-season practice, rehearsal, or
100 conditioning; summer/holiday practice, rehearsal, or conditioning; in-season practice,
101 rehearsal, or conditioning; and all exhibitions, contests, and competitions, including
102 scrimmage, preseason, regular season, postseason, and invitational.

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

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

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

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

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SECTION 3.

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

124 "(6) The parent or guardian shall have the authority to execute any document required
125 by law, rule, regulation, or policy to evidence the enrollment of a child in a home study
126 program, the student's full-time or part-time status, the student's grades, or any other
127 required educational information. This shall include, but not be limited to, documents for
128 purposes of verification of enrollment by the Department of Driver Services, for the
129 purposes set forth in subsection (a.1) of Code Section 40-5-22, documents required
130 pursuant to Chapter 2 of Title 39 relating to employment of minors, documents for
131 purposes of verification as set forth in subsection (b) of Code Section 20-2-319.6, and any
132 documents required to apply for the receipt of state or federal public assistance;"

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SECTION 4.

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