

House Bill 545

By: Representatives Carson of the 46th, Jones of the 25th, Jasperse of the 11th, Barr of the 103rd, Erwin of the 28th, and others

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 online course in a core
6 academic subject facilitated by the resident school system for each semester of the regular
7 school year during any part of which the home study student participates in an extracurricular
8 or interscholastic activity; to provide for eligibility requirements; to provide for participation
9 at a particular public school; to provide for participation fees; to provide for definitions; to
10 amend Code Section 20-2-690 of the Official Code of Georgia Annotated, relating to
11 educational entities and requirements for private schools and home study programs, so as to
12 provide parents and guardians authority to execute documents for verification purposes; to
13 provide for a short title; to provide for related matters; to repeal conflicting laws; and for
14 other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

SECTION 2.

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

"20-2-319.6.

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

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

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

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

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

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

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

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

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

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

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

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

(B) A copy of the home study student's most recent annual progress assessment report, as provided for in paragraph (8) of subsection (c) of Code Section 20-2-690, along with written verification by the home study program instructor that the home study student is currently receiving a passing grade in each home study program course, is

maintaining satisfactory progress toward advancement, and meets the requirements for participation in the specified extracurricular or interscholastic activity;

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

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

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

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

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

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

(c) A student who withdraws from a public school to participate in a home study program shall be ineligible for participation in any extracurricular or interscholastic activity for 12 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 and 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, or the block
116 scheduling equivalent, by the home study student's resident school system in reports made
117 to the Department of Education as provided in subsection (a) of Code Section 20-2-160."

SECTION 3.

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

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

SECTION 4.

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