

The House Committee on Education offers the following substitute to SB 42:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to
2 authorize home study students in grades six through 12 to participate in extracurricular and
3 interscholastic activities in the student's resident public school system; to provide that home
4 study students shall complete one qualifying course facilitated by the resident school system
5 for each semester of the regular school year during any part of which the home study student
6 participates in an extracurricular or interscholastic activity; to provide for eligibility
7 requirements; to provide for participation at a particular public school; to provide for
8 participation fees; to provide parents and guardians authority to execute documents for
9 verification purposes; to provide that the school climate rating does not include discipline
10 data; to provide that local school systems shall publish certain student disciplinary and
11 placement action information for ready access by parents and other community members; to
12 provide for definitions; to provide a short title; to provide for statutory construction; to
13 provide for related matters; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"20-2-319.6.

(a) This Code section shall be known and may be cited as the 'Dexter Mosely Act.'

(b) 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) '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.

(3) '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.

(4) '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.

(5) 'Qualifying course' means a course facilitated by the home study student's resident school system:

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

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

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

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

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

(c) 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 course as provided in 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) 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 course;

(3) The home study student meets established age, academic, behavioral, conduct, disciplinary, 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.

(d) 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 to the Department of Education as provided under paragraph (2) of subsection (c) of Code Section 20-2-690.

(e) For purposes of this Code section, participation in an extracurricular or interscholastic activity includes participation in the following school-sponsored activities related to the extracurricular or interscholastic activity: tryouts; off-season practice, rehearsal, or conditioning; summer and holiday practice, rehearsal, or conditioning; in-season practice,

rehearsal, or conditioning; and all exhibitions, contests, and competitions, including scrimmage, preseason, regular season, postseason, and invitational.

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

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

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

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

SECTION 2.

Said title is further amended in Code Section 20-2-690, relating to educational entities and requirements for private schools and home study programs, 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 (c) of Code Section 20-2-319.6, and any documents required to apply for the receipt of state or federal public assistance;"

SECTION 3.

Said title is further amended in Code Section 20-14-33, relating to indicators of quality of learning in individual schools and school systems, comparison to state standards, rating schools and school systems, providing information, and uniform definition of "dropout" and "below grade level," by revising subsection (c) as follows:

"(c)(1) Performance on the indicators of quality of learning, financial efficiency, school climate, and any other indicators the office adopts shall be compared to state standards, progress on improved student achievement, and comparable performance. The standards for comparison shall be established by the office as provided in Code Section 20-14-31, in coordination with the Department of Education. Data and information regarding the standards shall be included in the annual report provided for in paragraph (2) of subsection (a) of Code Section 20-14-27. Financial efficiency may include an analysis of how federal and state funds spent by local school systems impact student achievement and school improvement, and components used to determine financial efficiency may include actual achievement, resource efficiency, and student participation in standardized testing. School climate determinations may utilize data from student health surveys, ~~data on environmental and behavior indicators, data on student behavioral and school-based reactions,~~ and teacher and parent survey instruments. Financial efficiency and school climate shall have one of the following star ratings based upon the factors included in this subsection, as further defined by rules and regulations of the office:

(1)(A) '5-star' schools ranked excellent according to the state determined financial efficiency or school climate index, as appropriate;

(2)(B) '4-star' schools ranked above average according to the state determined financial efficiency or school climate index, as appropriate;

(3)(C) '3-star' schools ranked average according to the state determined financial efficiency or school climate index, as appropriate;

(4)(D) '2-star' schools ranked below satisfactory according to the state determined financial efficiency or school climate index, as appropriate; or

(5)(E) '1-star' schools ranked unsatisfactory according to the state determined financial efficiency or school climate index, as appropriate.

(2) Data and information regarding student discipline shall be included in the annual report provided for in paragraph (2) of subsection (a) of Code Section 20-14-27.

(3) Each local school system shall publish electronically on its website the reported information regarding student disciplinary and placement actions provided for in subsections (a) and (b) of Code Section 20-2-740 and shall furnish a print copy of the specific information as reported for a particular school to any requester at no charge in a format that can be easily understood by parents and other members of the community who are not educators, and such publication shall include such reported information for each school in the local school system.

(4) Nothing in this Code section shall be construed to relieve any school system or school administrator or personnel from any obligation to report a violation of a code of student conduct as provided for by law or policy."

SECTION 4.

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