

The House Committee on Education offers the following substitute to HB 1104:

A BILL TO BE ENTITLED
AN ACT

To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Quality Basic Education Act," so as to address mental health risks for student athletes; to provide for guidelines and other relevant materials to inform and educate public school and participating private school student athletes, their parents or guardians, school personnel, and coaches about mental health risks for student athletes and raising awareness of mental health resources available to student athletes; to provide for definitions; to require annual review by coaches; to provide for limited liability; to encourage additional implementation; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Quality Basic Education Act," is amended in Part 15, relating to miscellaneous provisions, by adding a new Code section to read as follows:

"20-2-324.7.

(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 athletic activities in which public schools and participating private schools in this state participate.

(2) 'Healthcare provider' means a licensed physician, another licensed individual under the supervision of a licensed physician, licensed psychiatrist, licensed psychologist, licensed clinical social worker, licensed professional counselor, clinical nurse specialist in psychiatric/mental health, or other licensed mental or behavioral health clinician or specialist who has received training on screening school-age children for mental health risks.

(3) 'Interscholastic athletic activity' means interscholastic athletics and practices and scrimmages related to interscholastic athletics.

(4) 'Participating private school' means a private school in this state whose students or teams compete against students or teams from a public school or local school system in this state.

(5) 'Student athlete' means a public school or participating private school student in grades six through 12 participating in or desiring to participate in an interscholastic athletic activity.

(b) Each athletic association shall, in consultation with the Department of Behavioral Health and Developmental Disabilities, develop and post on its public website guidelines and other relevant materials, including, but not limited to, approved videos or links thereto, to inform and educate student athletes, their parents or guardians, school personnel, and coaches about mental health risks for student athletes and raising awareness of mental health resources available to student athletes. In developing such guidelines and materials, an athletic association may utilize educational videos available at no cost to the state for the purpose of educating school personnel and coaches.

(c) Each public school and participating private school which includes one or more grades from grades six through 12 shall provide information to each student athlete's parent or guardian at least once each school year regarding mental health risks for student athletes and to raise awareness of mental health resources available to student athletes.

(d)(1) Once each school year, each coach of an interscholastic athletic activity shall review the guidelines and other relevant materials, including, but not limited to, videos, approved by each athletic association of which the coach's school is a member pursuant to subsection (b) of this Code section.

(2) A coach shall not be eligible to coach an interscholastic athletic activity until he or she completes the requirements contained in this subsection.

(e) This Code section shall not create any liability for, or create a cause of action against, a local board of education or other governing body of a public school or participating private school or the officers, employees, or volunteers of any such entities for any act or omission related to the removal or nonremoval of a student athlete participating in an interscholastic athletic activity in conjunction with an actual or perceived risk to the mental health of such student athlete or another student athlete; provided, however, that this subsection shall not include healthcare providers unless they are acting in a volunteer capacity.

(f) The sponsors of youth athletic activities, as defined in subsection (a) of Code Section 20-2-324.1, are encouraged to implement the provisions of this Code section."

SECTION 2.

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