

House Bill 1218

By: Representatives Flournoy of the 74th, Hilton of the 48th, Neal of the 79th, Olaleye of the 59th, Berry of the 56th, 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 revise the "Dexter Mosely Act" to allow for virtual school students from qualifying
4 virtual schools to participate in specified extracurricular and interscholastic activities under
5 the sponsorship, direction, and control of the student's resident public school or resident
6 public school system; to provide for requirements of such virtual school student participation;
7 to provide for virtual school qualifications; to provide for definitions; to provide for related
8 matters; to provide for a short title; to provide for an effective date and applicability; to
9 repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "Georgia Virtual Public School Student
13 Athletic Participation Act."

SECTION 2.

14
15 Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
16 relating to other educational programs under the "Quality Basic Education Act," is amended
17 by revising Code Section 20-2-319.6, relating to home study student participation in resident
18 school system extracurricular and interscholastic activities, short title, definitions,
19 requirements for participation, impact of student withdrawal, and reporting requirements, as
20 follows:

21 "20-2-319.6.

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

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

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

39 (4) 'Interscholastic activities' means extracurricular activities, public ~~school-sponsored~~
40 school sponsored athletic programs, and other public ~~school-sponsored~~ school sponsored

41 programs that are sanctioned or supported by a state-wide interscholastic activities
42 governing body, including but not limited to an athletic association.

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

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

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

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

50 (6) 'Qualifying virtual school' means a public school in this state that provides solely
51 virtual instruction and that does not offer to students enrolled in grades six through 12
52 one or more school sponsored interscholastic athletic programs or other school sponsored
53 programs that are sanctioned or supported by a state-wide interscholastic activities
54 governing body.

55 ~~(6)~~(7) 'Resident school' means the public school in which a home study student or virtual
56 school student would be enrolled based on his or her residence.

57 ~~(7)~~(8) 'Resident school system' means the public school system in which a home study
58 student or virtual school student would be enrolled based on his or her residence.

59 (9) 'Virtual school student' means a student in grades six through 12 enrolled full-time
60 in a qualifying virtual school.

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

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

- 68 (A) Written notice that the home study student intends to participate in one or more
69 specified extracurricular or interscholastic activities as a representative of the resident
70 school or resident school system; and
- 71 (B) A copy of the home study student's most recent annual progress assessment report,
72 as provided for in paragraph (8) of subsection (c) of Code Section 20-2-690, along with
73 written verification by the home study program instructor that the home study student
74 is currently receiving a passing grade in each home study program course, is
75 maintaining satisfactory progress toward advancement, and meets the requirements for
76 participation in the specified extracurricular or interscholastic activity;
- 77 (2) For each semester of the regular school year during any part of which the home study
78 student participates in an extracurricular or interscholastic activity, the home study
79 student enrolls in and attempts to complete one qualifying course;
- 80 (3) The home study student meets established age, academic, behavioral, conduct,
81 disciplinary, residence, zoning, and other rules and requirements applicable to all students
82 for participation in the specified extracurricular or interscholastic activity and provides
83 any supporting documentation required by the resident school;
- 84 (4) The home study student abides by the same student code of conduct and disciplinary
85 measures and transportation policies as students enrolled at the resident school who are
86 participating in the same extracurricular or interscholastic activity as the home study
87 student;
- 88 (5) The home study student completes the tryout process or the equivalent for
89 participation in the specified extracurricular or interscholastic activity applicable to all
90 students for participation in the specified extracurricular or interscholastic activity and
91 provides any supporting documentation required by the resident school; and
- 92 (6) For an extracurricular or interscholastic activity which involves a competitive
93 selection process, the home study student is selected.

94 (c.1) A virtual school student shall be eligible to participate in extracurricular activities and
95 interscholastic activities under the sponsorship, direction, and control of the resident school
96 or resident school system, provided that each of the following requirements is met:

97 (1) At least 30 calendar days before the first school day of the semester in which a virtual
98 school student intends to participate in one or more extracurricular or interscholastic
99 activities, a parent or guardian of the virtual school student provides to the principal of
100 the resident school and the superintendent of the resident school system:

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

104 (B) A copy of the virtual school student's most recent report card or its equivalent,
105 along with written verification by the virtual school that the virtual school student is
106 currently receiving a passing grade in each course and meets the requirements for
107 participation in the specified extracurricular or interscholastic activity;

108 (2) The virtual school student meets established age, academic, behavioral, conduct,
109 disciplinary, residence, zoning, and other rules and requirements applicable to all students
110 for participation in the specified extracurricular or interscholastic activity and provides
111 any supporting documentation required by the resident school;

112 (3) The virtual school student abides by the same student code of conduct and
113 disciplinary measures and transportation policies as students enrolled at the resident
114 school who are participating in the same extracurricular or interscholastic activity as the
115 virtual school student;

116 (4) The virtual school student completes the tryout process or the equivalent for
117 participation in the specified extracurricular or interscholastic activity applicable to all
118 students for participation in the specified extracurricular or interscholastic activity and
119 provides any supporting documentation required by the resident school; and

120 (5) For an extracurricular or interscholastic activity which involves a competitive
121 selection process, the virtual school student is selected.

122 (d) A student who withdraws from a public school to participate in a home study program
123 or enroll in a qualifying virtual school shall be ineligible for participation in any
124 extracurricular or interscholastic activity for 12 months from the date of the declaration of
125 intent to utilize a home study program provided to the Department of Education as
126 provided under paragraph (2) of subsection (c) of Code Section 20-2-690 or enrollment in
127 the qualifying virtual school.

128 (e) For purposes of this Code section, participation in an extracurricular or interscholastic
129 activity includes participation in the following ~~school-sponsored~~ school sponsored
130 activities related to the extracurricular or interscholastic activity: tryouts; off-season
131 practice, rehearsal, or conditioning; summer and holiday practice, rehearsal, or
132 conditioning; in-season practice, rehearsal, or conditioning; and all exhibitions, contests,
133 and competitions, including scrimmage, preseason, regular season, postseason, and
134 invitational.

135 (f) A resident school, a resident school system, or an athletic association shall not deny a
136 home study student or a virtual school student the opportunity to try out and participate if
137 selected in any extracurricular or interscholastic activities available at the resident school
138 or in the resident school system if the student meets the requirements contained in
139 subsection (c) or (c.1) of this Code section, respectively, and is not ineligible under
140 subsection (d) of this Code section.

141 (g) No public high school which receives funding under this article shall participate in,
142 sponsor, or provide coaching staff for interscholastic activities which are conducted under
143 the authority of, conducted under the rules of, or scheduled by any athletic association that
144 does not deem eligible for participation a home study student or virtual school student who
145 meets the requirements contained in subsection (c) or (c.1) of this Code section,
146 respectively, and is not ineligible under subsection (d) of this Code section.

147 (h) Home study students and virtual school students shall participate in extracurricular or
148 interscholastic activities, as authorized under this Code section, on behalf of such home
149 study student's resident school.

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

154 **SECTION 3.**

155 This Act shall become effective on July 1, 2026, and shall apply beginning with the
156 2027-2028 school year.

157 **SECTION 4.**

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