

The House Committee on Education offers the following substitute to HB 1055:

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:

16 style="text-align:center">**SECTION 1.**

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

19 style="text-align:center">**SECTION 2.**

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

23 "20-2-319.5.

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

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

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

30 (3) 'Extracurricular activities' means public school-sponsored activities in which students  
 31 take part on a voluntary basis; which do not offer or provide school or course credits;  
 32 which are generally conducted outside regular school hours or, if conducted in whole or  
 33 in part during regular school hours, at times agreed to by the participants and approved  
 34 by a school official; and which are managed and operated under the guidance of a  
 35 teacher, other school employee, or other adult approved by a school official. Examples  
 36 of extracurricular activities include but are not limited to intramural and interscholastic  
 37 athletics; band, chorus, and other musical activities; drama and other theatrical activities;  
 38 and school clubs and organizations as provided in subsection (a) of Code Section  
 39 20-2-705.

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

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

46 (6) 'Qualifying online course' means an online course in a core academic subject which  
 47 is facilitated by a home study student's resident school system by applying one or more  
 48 of the mechanisms provided in paragraphs (1) through (4) of subsection (b) of Code  
 49 Section 20-2-319.4.

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

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

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

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

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

65 (B) A copy of the home study student's most recent annual progress assessment report,  
66 as provided for in paragraph (8) of subsection (c) of Code Section 20-2-690, along with  
67 written verification by the home study program instructor that the home study student  
68 is currently receiving a passing grade in each home study program course, is  
69 maintaining satisfactory progress toward advancement, and meets the requirements for  
70 participation in the specified extracurricular or interscholastic activity;

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

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

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

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

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

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

92 (c) A student who withdraws from a public school to participate in a home study program  
93 shall be ineligible for participation in any extracurricular or interscholastic activity for 12  
94 months from the date of the declaration of intent to utilize a home study program provided  
95 to the Department of Education as provided under paragraph (2) of subsection (c) of Code  
96 Section 20-2-690.

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

120 **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 20-2-319.5, 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.