

House Bill 1435

By: Representatives Hutchinson of the 106<sup>th</sup>, Barnes of the 86<sup>th</sup>, Drenner of the 85<sup>th</sup>, Crawford of the 84<sup>th</sup>, Willis of the 55<sup>th</sup>, 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, so as to establish a data base of all sports  
3 equity coordinators appointed by local school systems; to require that such information  
4 contained within such data base be published; to provide that sports equity coordinators and  
5 students receive training on certain rights and grievance procedures; to provide that local  
6 school systems annually publish and submit a report concerning gender sports data to the  
7 Department of Education; to require that such reports be electronically published by the  
8 Department of Education; to provide that local school systems inform students and parents  
9 or legal guardians on how to access published reports; to provide that the Department of  
10 Education issue guidance to local school systems on how to collect and report gender sports  
11 data; to amend Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia  
12 Annotated, relating to university system, so as to provide that institutions of the University  
13 System of Georgia shall annually publish and submit a report concerning gender sports data  
14 to the board of regents; to provide that such institutions inform students of their right to  
15 request such report; to provide that such report be made electronically available by the board  
16 of regents; to provide that the board of regents shall publish a report on gender equity; to  
17 amend Article 2 of Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating  
18 to technical and adult education, so as to provide that certain postsecondary technical schools

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19 shall annually publish and submit a report concerning gender sports data to the State Board  
20 of the Technical College System of Georgia; to provide that such schools inform students of  
21 their right to request such report; to provide that such report be made electronically available  
22 by the State Board of the Technical College System of Georgia; to provide that the State  
23 Board of the Technical College System of Georgia shall publish a report on gender equity;  
24 to provide for related matters; to repeal conflicting laws; and for other purposes.

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

26 SECTION 1.

27 Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
28 relating to other educational programs, is amended by revising subsections (g) and (j) of and  
29 adding a new subsection to Code Section 20-2-315, relating to gender discrimination  
30 prohibited, authorized separate gender teams, equal athletic opportunity, physical education  
31 classes, employee designated to monitor compliance, grievance procedures, and reporting  
32 requirements, as follows:

33 "(g)(1) Each local school system shall designate at least one employee to coordinate its  
34 efforts to comply with and carry out its responsibilities under this Code section, including  
35 the investigation of any complaint communicated to such local school system alleging its  
36 noncompliance with this Code section. The employee designated under this subsection  
37 may be the same person required to be designated under 34 C.F.R. Section 106.8. The  
38 local school system annually shall notify the Department of Education and all its students  
39 of the name, office address, email address, and office telephone number of the employee  
40 or employees ~~appointed~~ designated pursuant to this subsection. Such notification may  
41 be included in a student handbook distributed pursuant to Code Section 20-2-736.

42 (2) The Department of Education shall establish and maintain a data base of all such  
43 employees designated under this subsection to include the employee's name, office

44 address, email address, and office telephone number and shall electronically publish such  
45 information.

46 (3) Each local school system shall ensure that each employee designated pursuant to this  
47 subsection and any employee who works with athletics or teaches physical education or  
48 health for such local school system receives training on the rights and grievance  
49 procedures contained within this Code section. Such training shall occur, at a minimum,  
50 once every school year.

51 (4) An employee designated pursuant to paragraph (1) of this subsection shall provide  
52 training to each student on the rights and grievance procedures contained within this  
53 Code section. Such training shall occur, at a minimum, once every school year."

54 "(j)(1) The Department of Education ~~may publish~~ shall collect an annual report of from  
55 each local school systems system to include the following information regarding  
56 expenditures and participation rates for each gender and such other information as the  
57 state board and department deem relevant for the immediately preceding school year:

58 (A) The total number of male and female students that attended the school, fully  
59 desegregated and cross-tabulated by sex and race or ethnicity;

60 (B) A listing of the school's teams that competed in athletic competition and for each  
61 such team, the season in which it competed, and the total number of male and female  
62 participants, fully disaggregated and cross-tabulated by sex, race, or ethnicity, and level  
63 of competition;

64 (C) The total expenditures for the team from all sources, including school funds and  
65 funds provided by any other entities, including the following data:

66 (i) The travel expenditures;

67 (ii) The equipment expenditures;

68 (iii) The uniform expenditures;

69 (iv) The expenditures for facilities;

70 (v) The total number of trainers and medical personnel, and for each trainer or  
71 medical personnel an identification of such individual's sex and employment status,  
72 including whether such individual is assigned to the team full-time or part-time, and  
73 whether such individual is a head or assistant trainer or medical services provider and  
74 duties other than providing training or medical services;

75 (vi) The expenditures for publicity for competitions; and

76 (vii) The total salary expenditures for coaches, including compensation, benefits, and  
77 bonuses, the total number of coaches, and for each coach an identification of such  
78 coach's sex and employment status, including whether such coach is assigned to the  
79 team full-time or part-time, and whether such coach is a head or assistant coach and  
80 duties other than coaching;

81 (D) The total number of competitive events, both in regular and nontraditional seasons  
82 scheduled, and for each an indication of what day of the week and time the competitive  
83 event was scheduled; and

84 (E) Whether such team participated in postseason competition, and the success of such  
85 team in any postseason competition.

86 (2) On or before October 15 of each year, each local school system shall electronically  
87 publish such report and ensure that each student and parent or legal guardian of such  
88 student is informed on how to access it.

89 (3) Each local system shall annually provide the report as required in paragraph (1) of  
90 this subsection to the Department of Education no later than 15 days after the date upon  
91 which the report is electronically published.

92 (4) For the purpose of this subsection, the term 'season,' when used with respect to a team  
93 sport, means the period beginning on the date of a team's first interscholastic athletic  
94 competition in a school year and ending on the date of the team's final interscholastic  
95 athletic competition in such school year.

96 (k) The Department of Education shall ensure that the reports submitted pursuant to  
97 subsection (j) of this Code section are electronically published and shall issue guidance to  
98 local school systems on how to collect and report the information as required pursuant to  
99 this Code section."

## 100 SECTION 2.

101 Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,  
102 relating to university system, is amended by adding a new Code section to read as follows:  
103 "20-3-88.

104 (a)(1) The board of regents shall annually collect, for the immediately preceding school  
105 year, a report from each institution of the University System of Georgia offering  
106 coeducational intercollegiate athletics, to include the following information:

107 (A) The number of male and female full-time undergraduates who attended the  
108 institution;

109 (B) A listing of the varsity teams that competed in intercollegiate athletic competition  
110 and for each such team the following data:

111 (i) The total number of participants, by team, as of the day of the first scheduled  
112 contest for the team;

113 (ii) Total operating expenses attributable to such teams, except that an institution may  
114 also report such expenses on a per capita basis for each team and expenditures  
115 attributable to closely related teams, such as track and field or swimming and diving,  
116 may be reported together, although such combinations shall be reported separately for  
117 men's and women's teams;

118 (iii) Whether the head coach is male or female and whether the head coach is  
119 assigned to that team on a full-time or part-time basis. Graduate assistants and  
120 volunteers who serve as head coaches shall be considered to be head coaches for the  
121 purposes of this division; and

122 (iv) The number of assistant coaches who are male and the number of assistant  
123 coaches who are female for each team and whether a particular coach is assigned to  
124 that team on a full-time or part-time basis. Graduate assistants and volunteers who  
125 serve as assistant coaches shall be considered to be assistant coaches for the purposes  
126 of this division;

127 (C) The total amount of money spent on athletically related student aid, including the  
128 value of waivers of educational expenses, separately for men's and women's teams  
129 overall;

130 (D) The ratio of athletically related student aid awarded male athletes to athletically  
131 related student aid awarded female athletes;

132 (E) The total amount of expenditures on recruiting, separately for men's and women's  
133 teams overall;

134 (F) The total annual revenues generated across all men's teams and across all women's  
135 teams, except that an institution may also report such revenues by individual team;

136 (G) The average annual institutional salary of the head coaches of men's teams, across  
137 all offered sports, and the average annual institutional salary of the head coaches of  
138 women's teams, across all offered sports. For the purposes of this subparagraph, if a  
139 coach has responsibilities for more than one team and the institution does not allocate  
140 such coach's salary by team, the institution should divide the salary by the number of  
141 teams for which the coach has responsibility and allocate the salary among the teams  
142 on a basis consistent with the coach's responsibilities for the different teams;

143 (H) The average annual institutional salary of the assistant coaches of men's teams,  
144 across all offered sports, and the average annual institutional salary of the assistant  
145 coaches of women's teams, across all offered sports;

146 (I)(i) The total revenues, and the revenues from football, men's basketball, women's  
147 basketball, all other men's sports combined, and all other women's sports combined,  
148 derived by the institution from the institution's intercollegiate athletics activities.

149 (ii) For the purpose of division (i) of this subparagraph, revenues from intercollegiate  
150 athletics activities allocable to a sport shall include, without limitation, gate receipts,  
151 broadcast revenues, appearance guarantees and options, concessions, and advertising,  
152 but revenues such as student activities fees or alumni contributions not so allocable  
153 shall be included in the calculation of total revenues only; and

154 (J)(i) The total expenses, and the expenses attributable to football, men's basketball,  
155 women's basketball, all other men's sports combined, and all other women's sports  
156 combined made by the institution for the institution's intercollegiate athletics  
157 activities.

158 (ii) For the purpose of division (i) of this subparagraph, expenses for intercollegiate  
159 athletics activities allocable to a sport shall include, without limitation, grants-in-aid,  
160 salaries, travel, equipment, and supplies, but expenses such as general and  
161 administrative overhead not so allocable shall be included in the calculation of total  
162 expenses only.

163 (2) Each institution of the University System of Georgia shall electronically make  
164 available to students and potential students, upon request, and to the public, the  
165 information contained in the report described in paragraph (1) of this subsection and shall  
166 ensure that all students are informed of their right to request such information.

167 (b) Each institution of the University System of Georgia shall annually provide to the  
168 board of regents the report pursuant to subsection (a) of this Code section within 15 days  
169 of the date that the institution makes electronically available the information as described  
170 in said subsection.

171 (c) The board of regents shall ensure that the collected reports as described in  
172 subsection (a) of this Code section are made electronically available to the public within  
173 a reasonable period of time.

174 (d)(1) On or after January 1, 2026, and every two years thereafter, the board of regents  
175 shall prepare and electronically publish a report on gender equity using the information  
176 submitted pursuant to this Code section.

177 (2) Such report shall in the aggregate for all institutions of the University System of  
178 Georgia offering coeducational intercollegiate athletics, and disaggregated by each  
179 individual institution, identify the following information:

180 (A) Participant gaps, if any, by indicating the number of participants that need to be  
181 added in order for participants of the underrepresented sex at the institution to match  
182 the proportion of enrolled full-time undergraduate students of the underrepresented sex  
183 at the institution;

184 (B) Funding gaps, if any, by showing the percentage differences, compared to  
185 proportions of male and female enrollment at the institution, in expenditures for  
186 athletically related student aid, recruiting, promotion, and publicity in intercollegiate  
187 athletics; and

188 (C) Any trends evident in such data that address relevant inequities in intercollegiate  
189 athletics participation and financial support."

190 **SECTION 3.**

191 Article 2 of Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating to  
192 technical and adult education, is amended by adding a new Code section to read as follows:

193 "20-4-39.1.

194 (a)(1) The State Board of the Technical College System of Georgia shall annually  
195 collect, for the immediately preceding school year, a report from each postsecondary  
196 technical school offering coeducational vocational athletics, to include the following  
197 information:

198 (A) The number of male and female full-time students who attended the school;



199 (B) A listing of the varsity teams that competed in an athletic competition and for each  
200 such team the following data:

201 (i) The total number of participants, by team, as of the day of the first scheduled  
202 contest for the team;

203 (ii) Total operating expenses attributable to such teams, except that a school may also  
204 report such expenses on a per capita basis for each team and expenditures attributable  
205 to closely related teams, such as track and field or swimming and diving, may be  
206 reported together, although such combinations shall be reported separately for men's  
207 and women's teams;

208 (iii) Whether the head coach is male or female and whether the head coach is  
209 assigned to that team on a full-time or part-time basis. Graduate assistants and  
210 volunteers who serve as head coaches shall be considered to be head coaches for the  
211 purposes of this division; and

212 (iv) The number of assistant coaches who are male and the number of assistant  
213 coaches who are female for each team and whether a particular coach is assigned to  
214 that team on a full-time or part-time basis. Graduate assistants and volunteers who  
215 serve as assistant coaches shall be considered to be assistant coaches for the purposes  
216 of this division;

217 (C) The total amount of money spent on athletically related student aid, including the  
218 value of waivers of educational expenses, separately for men's and women's teams  
219 overall;

220 (D) The ratio of athletically related student aid awarded male athletes to athletically  
221 related student aid awarded female athletes;

222 (E) The total amount of expenditures on recruiting, separately for men's and women's  
223 teams overall;

224 (F) The total annual revenues generated across all men's teams and across all women's  
225 teams, except that a school may also report such revenues by individual team;

226 (G) The average annual school salary of the head coaches of men's teams, across all  
227 offered sports, and the average annual school salary of the head coaches of women's  
228 teams, across all offered sports. For the purposes of this subparagraph, if a coach has  
229 responsibilities for more than one team and the school does not allocate such coach's  
230 salary by team, the school should divide the salary by the number of teams for which  
231 the coach has responsibility and allocate the salary among the teams on a basis  
232 consistent with the coach's responsibilities for the different teams;

233 (H) The average annual school salary of the assistant coaches of men's teams, across  
234 all offered sports, and the average annual school salary of the assistant coaches of  
235 women's teams, across all offered sports;

236 (I)(i) The total revenues, and the revenues from football, men's basketball, women's  
237 basketball, all other men's sports combined, and all other women's sports combined,  
238 derived by the school from the school's vocational athletics activities.

239 (ii) For the purpose of division (i) of this subparagraph, revenues from vocational  
240 athletics activities allocable to a sport shall include, without limitation, gate receipts,  
241 broadcast revenues, appearance guarantees and options, concessions, and advertising,  
242 but revenues such as student activities fees or alumni contributions not so allocable  
243 shall be included in the calculation of total revenues only; and

244 (J)(i) The total expenses, and the expenses attributable to football, men's basketball,  
245 women's basketball, all other men's sports combined, and all other women's sports  
246 combined, made by the school for the school's vocational athletics activities.

247 (ii) For the purpose of division (i) of this subparagraph, expenses for vocational  
248 athletics activities allocable to a sport shall include, without limitation, grants-in-aid,  
249 salaries, travel, equipment, and supplies, but expenses such as general and  
250 administrative overhead not so allocable shall be included in the calculation of total  
251 expenses only.

252 (2) Each postsecondary technical school shall electronically make available to students  
253 and potential students, upon request, and to the public the information contained in the  
254 report described in paragraph (1) of this subsection and shall ensure that all students are  
255 informed of their right to request such information.

256 (b) Each postsecondary technical school shall annually provide to the State Board of the  
257 Technical College System of Georgia the report pursuant to subsection (a) of this Code  
258 section within 15 days of the date that the school makes electronically available the  
259 information as described in said subsection.

260 (c) The State Board of the Technical College System of Georgia shall ensure that the  
261 collected reports as described in subsection (a) of this Code section are made electronically  
262 available to the public within a reasonable period of time.

263 (d)(1) On or after January 1, 2026, and every two years thereafter, the State Board of the  
264 Technical College System of Georgia shall prepare and electronically publish a report on  
265 gender equity using the information submitted pursuant to this Code section.

266 (2) Such report shall in the aggregate for all postsecondary technical schools in the state  
267 offering coeducational vocational athletics and disaggregated by each individual such  
268 school identify the following information:

269 (A) Participant gaps, if any, by indicating the number of participants that need to be  
270 added in order for participants of the underrepresented sex at the school to match the  
271 proportion of enrolled full-time students of the underrepresented sex at the school;

272 (B) Funding gaps, if any, by showing the percentage differences, compared to  
273 proportions of male and female enrollment at the school, in expenditures for athletically  
274 related student aid, recruiting, promotion, and publicity in vocational athletics; and

275 (C) Any trends evident in such data that address relevant inequities in vocational  
276 athletics participation and financial support."

277

**SECTION 4.**

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