

The House Committee on Education offers the following substitute to HB 545:

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 course facilitated by the
6 resident school system for each semester of the regular school year during any part of which
7 the home study student participates in an extracurricular or interscholastic activity; to provide
8 for eligibility requirements; to provide for participation at a particular public school; to
9 provide for participation fees; to provide for definitions; to amend Code Section 20-2-690
10 of the Official Code of Georgia Annotated, relating to educational entities and requirements
11 for private schools and home study programs, so as to provide parents and guardians
12 authority to execute documents for verification purposes; to provide for a short title; to
13 provide for related matters; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

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

18 **SECTION 2.**

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

22 "20-2-319.6.

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

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

38 (4) 'Interscholastic activities' means extracurricular activities, public school-sponsored
39 athletic programs, and other public school-sponsored programs that are sanctioned or

40 supported by a state-wide interscholastic activities governing body, including but not
41 limited to an athletic association.

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

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

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

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

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

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

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

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

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

63 (B) A copy of the home study student's most recent annual progress assessment report,
64 as provided for in paragraph (8) of subsection (c) of Code Section 20-2-690, along with
65 written verification by the home study program instructor that the home study student
66 is currently receiving a passing grade in each home study program course, is

67 maintaining satisfactory progress toward advancement, and meets the requirements for
68 participation in the specified extracurricular or interscholastic activity;

69 (2) For each semester of the regular school year during any part of which the home study
70 student participates in an extracurricular or interscholastic activity, the home study
71 student enrolls in and attempts to complete one qualifying course;

72 (3) The home study student meets established age, academic, behavioral, conduct,
73 disciplinary, residence, zoning, and other rules and requirements applicable to all students
74 for participation in the specified extracurricular or interscholastic activity and provides
75 any supporting documentation required by the resident school;

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

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

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

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

91 (d) For purposes of this Code section, participation in an extracurricular or interscholastic
92 activity includes participation in the following school-sponsored activities related to the
93 extracurricular or interscholastic activity: tryouts; off-season practice, rehearsal, or

94 conditioning; summer and holiday practice, rehearsal, or conditioning; in-season practice,
95 rehearsal, or conditioning; and all exhibitions, contests, and competitions, including
96 scrimmage, preseason, regular season, postseason, and invitational.

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

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

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

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

114 **SECTION 3.**

115 Code Section 20-2-690 of the Official Code of Georgia Annotated, relating to educational
116 entities and requirements for private schools and home study programs, is amended by
117 revising paragraph (6) of subsection (c) as follows:

118 "(6) The parent or guardian shall have the authority to execute any document required
119 by law, rule, regulation, or policy to evidence the enrollment of a child in a home study

120 program, the student's full-time or part-time status, the student's grades, or any other
121 required educational information. This shall include, but not be limited to, documents for
122 purposes of verification of enrollment by the Department of Driver Services, for the
123 purposes set forth in subsection (a.1) of Code Section 40-5-22, documents required
124 pursuant to Chapter 2 of Title 39 relating to employment of minors, documents for
125 purposes of verification as set forth in subsection (b) of Code Section 20-2-319.6, and any
126 documents required to apply for the receipt of state or federal public assistance;"

127 **SECTION 4.**

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