

Senate Bill 428

By: Senator Mullis of the 53rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 2 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to provide that high schools receiving funding
3 under the Quality Basic Education Act shall not participate in, sponsor, or provide coaching
4 staff for interscholastic sports events conducted under the authority or rules of or scheduled
5 by any athletic association unless such athletic association, when composed of both public
6 and private high schools, shall provide that the public high schools shall compete only
7 against other public high schools, and the private high schools shall compete only against
8 other private high schools; to provide for related matters; to repeal conflicting laws; and for
9 other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

12 Chapter 2 of Title 2 of the Official Code of Georgia Annotated, relating to elementary and
13 secondary education, is amended by revising subsection (b) of Code Section 20-2-316,
14 relating to athletic association defined and involvement of association in high school
15 athletics, as follows:

16 "(b) No high school which receives funding under this article shall participate in, sponsor,
17 or provide coaching staff for interscholastic sports events which are conducted under the
18 authority of, conducted under the rules of, or scheduled by any athletic association unless
19 the charter, bylaws, or other governing documents of such athletic association comply with
20 this Code section. In order to comply with this Code section, such charter, bylaws, or other
21 governing documents shall provide that:

22 (1) The athletic association shall comply with the requirements of subsections (a)
23 through (f) of Code Section 20-2-315, as those requirements relate to the athletic
24 association's functions of organizing, sanctioning, scheduling, or rule making for events
25 in which public high schools participate;

26 (2) The athletic association shall comply with the requirements of Article 4 of
27 Chapter 18 of Title 50, relating to the inspection of public records, and Chapter 14 of
28 Title 50, relating to open and public meetings, to the extent that such records and
29 meetings relate to the athletic association's activities with respect to public high schools;
30 provided, however, that such athletic association shall not be required to comply with
31 such statutes or to conduct open and public meetings or provide inspection of records
32 where the sole subject of such meeting or record pertains to the academic records or
33 performance of an individual student or the eligibility of an individual student to
34 participate or to continue to participate in sponsored events or contests based on
35 academics; provided, further, however, that where a meeting or record of such association
36 is devoted in part to matters excepted in the preceding proviso, any portion of the meeting
37 or record not subject to such exception shall be open to the public; ~~and~~

38 (3) The athletic association shall, no later than October 1, 2003, and every year
39 thereafter, submit a report to the General Assembly regarding its compliance with
40 paragraph (1) of this subsection. Such report shall address the number, type, and
41 disposition of written requests for the association to organize and administer regional or
42 state events for additional or different sports; written requests for information regarding
43 the types of athletic events for public high school students that the association organizes
44 and administers; and written inquiries and complaints received by the association with
45 respect to gender discrimination in connection with public high school events. The report
46 shall address all such written requests, inquiries, and complaints, regardless of whether
47 such request, inquiry, or complaint is made by letter, e-mail, memorandum, or any other
48 form of written communication. Each report shall cover the time period beginning on July
49 1 of the previous year and ending on June 30 of the year in which the report is due. The
50 initial report due on October 1, 2003, shall cover the time periods of July 1, 2000, through
51 June 30, 2001; July 1, 2001, through June 30, 2002; and July 1, 2002, through June 30,
52 2003. In addition, the athletic association shall have in effect a policy requiring
53 notification to persons who make such requests, inquiries, or complaints verbally that
54 such request, inquiry, or complaint will not be included in the association's reporting to
55 the General Assembly regarding compliance with this Code section unless such request,
56 inquiry, or complaint is made in writing; and

57 (4) If the athletic association is composed of both public and private high schools, the
58 athletic association shall provide that the public high schools shall compete only against
59 other public high schools and the private high schools shall compete only against other
60 private high schools."

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SECTION 2.

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