

Senate Bill 42

By: Senators Mullis of the 53rd, Gooch of the 51st, Harbison of the 15th, Payne of the 54th, Miller of the 49th and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to
2 authorize home study students in grades six through 12 to participate in extracurricular and
3 interscholastic activities in the student's resident public school system; to provide that home
4 study students shall complete one qualifying course facilitated by the resident school system
5 for each semester of the regular school year during any part of which the home study student
6 participates in an extracurricular or interscholastic activity; to provide for eligibility
7 requirements; to provide for participation at a particular public school; to provide for
8 participation fees; to provide parents and guardians authority to execute documents for
9 verification purposes; to provide that the school climate rating does not include discipline
10 data; to provide that local school systems shall publish certain student disciplinary and
11 placement action information for ready access by parents and other community members; to
12 provide for definitions; to provide a short title; to provide for statutory construction; to
13 provide for related matters; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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SECTION 1.

16 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in Part
17 14 of Article 6 of Chapter 2, relating to other educational programs under the "Quality Basic
18 Education Act," by adding a new Code section to read as follows:

19 "20-2-319.6.

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

21 (b) As used in this Code section, the term:

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

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

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

36 (4) 'Interscholastic activities' means extracurricular activities, public school-sponsored
37 athletic programs, and other public school-sponsored programs that are sanctioned or
38 supported by a state-wide interscholastic activities governing body, including but not
39 limited to an athletic association.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

89 (e) For purposes of this Code section, participation in an extracurricular or interscholastic
90 activity includes participation in the following school-sponsored activities related to the
91 extracurricular or interscholastic activity: tryouts; off-season practice, rehearsal, or
92 conditioning; summer and holiday practice, rehearsal, or conditioning; in-season practice,

93 rehearsal, or conditioning; and all exhibitions, contests, and competitions, including
94 scrimmage, preseason, regular season, postseason, and invitational.

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

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

106 (h) Home study students shall participate in extracurricular or interscholastic activities on
107 behalf of such home study student's resident school.

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

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SECTION 2.

113 Said title is further amended in Code Section 20-2-690, relating to educational entities and
114 requirements for private schools and home study programs, by revising paragraph (6) of
115 subsection (c) as follows:

116 "(6) The parent or guardian shall have the authority to execute any document required
117 by law, rule, regulation, or policy to evidence the enrollment of a child in a home study
118 program, the student's full-time or part-time status, the student's grades, or any other

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

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SECTION 3.

126 Said title is further amended in Code Section 20-14-33, relating to indicators of quality of
127 learning in individual schools and school systems, comparison to state standards, rating
128 schools and school systems, providing information, and uniform definition of "dropout" and
129 "below grade level," by revising subsection (c) as follows:

130 "(c)(1) Performance on the indicators of quality of learning, financial efficiency, school
131 climate, and any other indicators the office adopts shall be compared to state standards,
132 progress on improved student achievement, and comparable performance. The standards
133 for comparison shall be established by the office as provided in Code Section 20-14-31,
134 in coordination with the Department of Education. Data and information regarding the
135 standards shall be included in the annual report provided for in paragraph (2) of
136 subsection (a) of Code Section 20-14-27. Financial efficiency may include an analysis
137 of how federal and state funds spent by local school systems impact student achievement
138 and school improvement, and components used to determine financial efficiency may
139 include actual achievement, resource efficiency, and student participation in standardized
140 testing. School climate determinations may utilize data from student health surveys, data
141 on environmental and behavior indicators, data on student behavioral and school-based
142 reactions, and teacher and parent survey instruments. Financial efficiency and school
143 climate shall have one of the following star ratings based upon the factors included in this
144 subsection, as further defined by rules and regulations of the office:

145 ~~(1)~~(A) '5-star' schools ranked excellent according to the state determined financial
146 efficiency or school climate index, as appropriate;

147 ~~(2)~~(B) '4-star' schools ranked above average according to the state determined financial
148 efficiency or school climate index, as appropriate;

149 ~~(3)~~(C) '3-star' schools ranked average according to the state determined financial
150 efficiency or school climate index, as appropriate;

151 ~~(4)~~(D) '2-star' schools ranked below satisfactory according to the state determined
152 financial efficiency or school climate index, as appropriate; or

153 ~~(5)~~(E) '1-star' schools ranked unsatisfactory according to the state determined financial
154 efficiency or school climate index, as appropriate.

155 (2) Data and information regarding student discipline shall be included in the annual
156 report provided for in paragraph (2) of subsection (a) of Code Section 20-14-27.

157 (3) Each local school system shall publish electronically in a prominent location on its
158 website the reported information regarding student disciplinary and placement actions
159 provided for in subsections (a) and (b) of Code Section 20-2-740 and shall furnish a print
160 copy of the specific information as reported for a particular school to any requester at no
161 charge. Regardless of whether published in electronic or print form, the reported
162 information shall be presented in a format that can be easily understood by parents and
163 other members of the community who are not educators, and such publication shall
164 include such reported information for each school in the local school system.

165 (4) Nothing in this Code section shall be construed to relieve any school system or
166 school administrator or personnel from any obligation to report a violation of a code of
167 student conduct as provided for by law or policy."

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SECTION 4.

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