

House Bill 51 (AS PASSED HOUSE AND SENATE)

By: Representatives Pirkle of the 169th and Corbett of the 174th

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to prohibit any high school which receives
3 funding under the Quality Basic Education Act from working with any high school athletic
4 association that is a member of a national organization that does not include or recognize
5 other voluntary nonprofit associations of Georgia high schools; to revise a definition; to
6 authorize local boards of education to use vehicles other than school buses for the transport
7 of all students to and from school and school related activities; to revise provisions
8 authorizing and requiring local boards of education to provide for accident insurance for
9 students traveling on school buses and other vehicles to and from school and school related
10 activities; to provide for related matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
14 secondary education, is amended in Part 14 of Article 6, relating to other educational
15 programs, by amending subsection (a) of and adding a new subsection to Code Section

16 20-2-316.3, relating to prohibition of religious expression of student athletes by athletic
17 association, to read as follows:

18 "(a) As used in this Code section, the term 'athletic association' means any association of
19 schools or any other similar organization which acts as an organizing, sanctioning,
20 scheduling, or rule-making body for interscholastic athletic or literary events or other
21 school activities in which public high schools in this state participate."

22 "(d) No high school which receives funding under this article shall participate in, sponsor,
23 or provide coaching or support staff for interscholastic athletic or literary events or other
24 school activities which are conducted under the authority of, conducted under the rules of,
25 or scheduled by any athletic association that is a member of a national association,
26 federation, or alliance of high school athletic, literary, or school activities associations that
27 does not include or recognize all other voluntary nonprofit athletic, literary, or school
28 activities associations of Georgia high schools in compliance with the requirements of
29 Code Section 20-2-319.2 and Code Section 20-2-324.1 as a member or affiliate member
30 with all the rights and privileges associated with membership in said association,
31 federation, or alliance."

32 **SECTION 2.**

33 Said chapter is further amended in Article 22, relating to school buses, by revising Code
34 Section 20-2-1076, relating to alternative vehicles for school buses, limitations on use,
35 requirements, and insurance, as follows:

36 "20-2-1076.

37 (a) Local boards of education may authorize the use of vehicles other than school buses
38 for the transport of students ~~who are documented in an Individualized Education Program~~
39 ~~as recipients of special education services or as currently lacking, or during the previous~~
40 ~~academic year lacked, a fixed, regular, and adequate nighttime residence as described under~~
41 ~~the McKinney-Vento Homeless Assistance Act, 42 U.S.C. Section 11301, et seq., to and~~

42 from school and school related activities, where appropriate. Such vehicles may include
43 motor vehicles with a capacity of eight persons or less operated and marked for the
44 transportation of school children to and from school and school related activities.

45 (b) Local boards shall comply with all requirements established by the State Board of
46 Education pursuant to Code Section 20-2-188, including minimum standards and
47 requirements, which shall be delineated separately from requirements for school buses; for
48 maintenance, repair, inspection, and use of such vehicles; minimum qualifications for the
49 drivers of such vehicles; and other requirements as deemed necessary by the State Board
50 of Education. Local boards may establish requirements in addition to such minimum state
51 requirements, in the discretion of the local board.

52 (c) Local boards are authorized and required to cause policies of insurance to be issued
53 insuring the students being transported to and from school and school related activities
54 against bodily injury or death at any time resulting from an accident or collision in which
55 such vehicles are involved. The amount of such insurance shall be within the discretion
56 of each local board of education."

57 **SECTION 3.**

58 Said chapter is further amended by revising Code Section 20-2-1090, relating to accident
59 insurance for children on school buses, as follows:

60 "20-2-1090.

61 The various school boards of the counties, cities, and independent school systems
62 employing school buses are authorized and required to cause policies of insurance to be
63 issued insuring the school children riding therein to and from school and school related
64 activities against bodily injury or death at any time resulting from an accident or collision
65 in which such buses are involved. The amount of such insurance shall be within the
66 discretion of the respective boards."

67

SECTION 4.

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