

# Dexter Mosely Act (SB 42) 2021 Legislative Session Guidance

**Guidance relating to the authorization of home study students in grades 6-12 to participate in extracurricular and interscholastic activities in their resident public school system.**



**July 1, 2021**



During the 2021 legislative session, the Georgia General Assembly passed the [Dexter Mosely Act \(Senate Bill 42\)](#). This legislation authorizes home study students in grades 6-12 to participate in extracurricular and interscholastic activities in the student's resident public school system, with the requirement of certain notification and course enrollment provisions. The law is codified in O.C.G.A. § 20-2-319.6.

The following information and guidance are related to the Dexter Mosely Act. *Please note that this guidance relates to questions on the enrollment of home study students in qualifying courses within their resident public school system and the academic impact of that course participation. The Georgia Department of Education (GaDOE) does not have oversight or monitoring authority over extracurricular or interscholastic activities, and any questions specifically related to those areas should be directed to the Georgia High School Association (GHSA), which governs interscholastic activities, the local board of education, or the governing authority for extracurricular activities.*

## **Student Eligibility Requirements**

A home study student, as defined in O.C.G.A. § 20-2-690(c), in grades 6-12 shall be eligible to participate in extracurricular activities and interscholastic (E/I) activities on behalf of the student's resident school and under the sponsorship, direction, and control of the resident school or resident school system, provided that EACH of the following requirements is met:

1. **Parent Notification:** At least 30 calendar days before the first school day of the semester in which a home study student will enroll in a qualifying course, the parent/guardian provides to resident principal and superintendent a written notice of home study student's intent to participate in one or more E/I activities.
2. **Student Progress Verification:** Parent/guardian must provide to the resident principal and superintendent a copy of the home study student's most recent annual progress report, with written verification by the home study program instructor that the student is currently receiving a passing grade in each home study program course, is maintaining satisfactory progress towards advancement, and meets the academic requirements for participation in the specified extracurricular or interscholastic activity.
3. **Qualifying Course Enrollment:** The home study student must enroll in and attempt to complete one qualifying course for each semester of the regular school year during any part of which the home study student participates in an E/I activity. Participation in an E/I activity includes tryouts; practices, rehearsals, and conditionings (in- and off-season, summer, and holiday); and all exhibitions, contests, and competitions.

4. **Participation Requirements:** The home study student must meet established age, academic, behavioral, conduct, disciplinary, residence, zoning, and other rules and requirements applicable to all students for participation in the specified E/I activity and must provide any supporting documentation required by the resident school.
5. **Policy Adherence:** The home study student must abide by the same student code of conduct and disciplinary measures and transportation policies as students enrolled at the resident school who are participating in the same E/I activity as the home study student.
6. **E/I Activity and Selection Requirements:** The home study student must complete the tryout process or equivalent for participation in the specified E/I activity applicable to all students for participation in the E/I activity and must be selected for participation in those E/I activities which involve a competitive selection process. The home study student must provide any supporting documentation required by the resident school. The resident school, system or athletic association shall not deny the home study student the opportunity to try out and participate, if selected, in any E/I activity available if the student meets the eligibility requirements outlined above.
  - **Ineligibility** – a student who withdraws from a public school to participate in a home study program shall be ineligible for participation in any E/I activity for 12 months from the date of the home study Declaration of Intent submission to GaDOE.

## **Qualifying Courses**

1. **Qualifying Course Definition:** A course facilitated by the resident school system through an on-site course required for participation in the designated E/I activities; by way of a dual credit course as provided for in O.C.G.A. § 20-2-161.3; or through one of Georgia's public virtual instructional options identified in O.C.G.A. §20-2-319.4(b) (Georgia Virtual School, contracted provider, inter-district agreements).
2. **Qualifying Course Enrollment:** The home study student must enroll in and attempt to complete one qualifying course for each semester of the regular school year during any part of which the home study student participates in an E/I activity. Participation in an E/I activity includes tryouts; practices, rehearsals, and conditionings (in- and off-season, summer, and holiday); and all exhibitions, contests, and competitions.
  - **Course Selection:** The home study student may choose to enroll in any qualifying course, unless the specified E/I activity has a required course for

all participants of the activity. The home study student must complete all requirements for course enrollment.

3. **Qualifying Course Funding:** The specific assigned program of each home study student enrolled in a qualifying course shall be included for a one-sixth segment of the school day, or the block scheduling equivalent, by resident school system in reports made to GaDOE as provided in O.C.G.A. § 20-2-160(a).



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