

SB 180 by **Evers**; (Similar to CS/H 0019) School Safety

957108	A	S		ED, Garcia	Delete L.307:	04/14 05:00 PM
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SB 1480 by **Stargel**; (Compare to H 7137) Student Extracurricular Activities

783286	D	S	L	RCS	ED, Benacquisto	Delete everything after	04/15 06:07 PM
425534	SD	S		WD	ED, Montford	Delete everything after	04/15 06:07 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION PRE-K - 12
Senator Legg, Chair
Senator Detert, Vice Chair

MEETING DATE: Wednesday, April 15, 2015
TIME: 5:00 —6:00 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Legg, Chair; Senator Detert, Vice Chair; Senators Benacquisto, Brandes, Bullard, Clemens, Gaetz, Galvano, Garcia, Montford, and Sobel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 180 Evers (Similar CS/H 19)	School Safety; Permitting a school superintendent, with approval of the school board, to authorize a school safety designee to carry a concealed weapon or firearm on school property; requiring school boards to formulate policies and procedures for managing active-shooter and hostage situations; permitting district school boards to commission one or more school safety officers on each school campus, etc. CJ 03/23/2015 Favorable ED 03/31/2015 Temporarily Postponed ED 04/15/2015 Temporarily Postponed AP	Temporarily Postponed
2	SB 1480 Stargel (Compare H 7137)	Student Extracurricular Activities; Revising the principles that guide policies governing student eligibility for extracurricular activities; requiring a district school board's insurance for participants in extracurricular activities to cover certain students at the same rate as other district school students; designation of the Florida High School Athletic Association as the governing nonprofit organization of athletics in Florida public schools and instead requiring the commissioner to designate, by a certain date, a nonprofit association to be the governing body, etc. ED 04/15/2015 Fav/CS AED AP	Fav/CS Yeas 6 Nays 5

Other Related Meeting Documents



957108

LEGISLATIVE ACTION

Senate

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House

The Committee on Education Pre-K - 12 (Garcia) recommended the following:

Senate Amendment (with title amendment)

Delete line 307

and insert:

school principal or governing board, unless the private school principal or private school governing board has opted not to have a school safety designee as defined in s. 790.115(3) (a).

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Between lines 23 and 24



957108

11 insert:
12 providing an exception;

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/15/2015
Meeting Date

SB 180
Bill Number (if applicable)

957108
Amendment Barcode (if applicable)

Topic School Safety (Amendment to SB 180)

Name James Herzog

Job Title Associate Director for Education

Address 201 West Park Ave
Street

Phone 850/205-6823

Tallahassee FL 32301
City State Zip

Email jherzog@flacathconf.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Conference of Catholic Bishops

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-15-2015

Meeting Date

180

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name BRIAN PITTS

Job Title Trustee

Address 1119 Newton Ave S

Phone 727/897-4291

Street

St Petersburg

FL

City
State

33705

Zip

Email justice2jesus@yahoo.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Justice-2-Jesus

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

9/15/15
Meeting Date

180
Bill Number (if applicable)

Topic Concealed weapons in schools

Amendment Barcode (if applicable)

Name Vern Pickup-Crawford

Job Title Legislative Liaison

Address 571 Kingsbury Terrace
Street

Phone 561-644-2439

Wellington FL 33414
City State Zip

Email vacrawford@msn.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Palm Beach County School District

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/15/15

Meeting Date

SB 180

Bill Number (if applicable)

Topic School Safety

Amendment Barcode (if applicable)

Name Greg Pound

Job Title _____

Address 9166 Sunrise Dr.

Phone _____

Street

Largo

City

FL

State

33773

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Pinellas County Florida Gov. Corruption

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K - 12

BILL: SB 180

INTRODUCER: Senator Evers

SUBJECT: School Safety

DATE: March 30, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Cellon</u>	<u>Cannon</u>	<u>CJ</u>	Favorable
2.	<u>Scott</u>	<u>Klebacha</u>	<u>ED</u>	Pre-meeting
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 180 authorizes district school boards to implement armed security measures on school property. It expands the definition of “school” within s. 790.115, F.S., to include adult education facilities and any combination of schools, facilities, or centers listed in the definition of school.

The bill creates restrictions and requirements related to persons who are authorized to provide armed security in the school setting.

The “school safety designees” must be licensed to carry a concealed weapon or firearm pursuant to the requirements of s. 790.06, F.S., and be:

- An honorably discharged military veteran with no firearm-related disciplinary infraction;
- An active-duty member of the military, National Guard, or reserves, with no firearm-related disciplinary infraction; or
- A law enforcement officer in good standing or a former officer who has retired or terminated employment in good standing and not during the course of an internal investigation.

The designee is required to carry the weapon or firearm, on his or her person, in a concealed manner at all times while performing official school or school safety designee duties.

School safety designees must undergo a Level 2 background screening. They must also complete a training program created by the Florida Department of Law Enforcement (FDLE).

An appropriation of nonrecurring funds from General Revenue in the amount of \$157,927 is made to FDLE for FY 2015-2016. The funds are designated for the Criminal Justice Standards and Training Commission to develop the school safety training curriculum required by the bill. The school safety program must be created by January 1, 2016.

The bill requires district school boards to include active-shooter and hostage situations in policies and procedures for emergency drills and emergencies, and develop such procedures in consultation with local law enforcement. The bill requires that both public and private schools allow campus tours by law enforcement first responders at least every three years.

The bill provides an effective date of July 1, 2015.

II. Present Situation:

Gun Free School Zones

Federal Law

Federal law prohibits the knowing possession of a firearm that has been transported across state lines in interstate commerce or that otherwise affects interstate or foreign commerce in a school zone. The prohibition does not apply to possession of a firearm:

- On private property not part of school grounds;
- By individuals licensed to possess a firearm by the state or a political subdivision of the state in which the school zone is located if the licensing law requires law enforcement verification that the individual meets the law's qualifications to receive the license before issuance;
- That is not loaded and stored in a locked container in a motor vehicle;
- Authorized pursuant to a program approved by the school in the school zone;
- Pursuant to a contract entered into between a school and the individual or an employer of the individual;
- By a law enforcement officer acting in his or her official capacity; or
- That is unloaded and is possessed by an individual who is authorized by the school to cross school grounds for the purpose of gaining access to public or private lands open to hunting.¹

Federal law also prohibits the knowing or reckless discharge or attempted discharge of a firearm that has been transported across state lines in interstate commerce or that otherwise affects interstate or foreign commerce in a school zone. The prohibition does not apply to the discharge of a firearm:

- On private property not part of school grounds;
- Authorized pursuant to a program approved by the school in the school zone;
- Pursuant to a contract entered into between a school and the individual or an employer of the individual; or
- By a law enforcement officer acting in his or her official capacity.²

Federal law further provides that it is not Congress' intent to occupy the field of firearms regulation, unless there is a direct, positive, and irreconcilable conflict between a federal and state firearms law regulating the same subject matter. Thus, states may regulate firearms in a manner that is consistent with federal law.³

¹ 18 U.S.C. s. 922(q)(2)(A)-(B).

² 18 U.S.C. s. 922(q)(3)(A)-(B).

³ 18 U.S.C. s. 927.

Florida Law

Florida law prohibits, with exceptions, the possession or discharge of weapons or firearms at a preschool, elementary school, middle school, junior high school, secondary school, career center, or postsecondary school, whether public or nonpublic.⁴ The law prohibits:

- Exhibition of a weapon⁵ or firearm in the presence of another in a rude, careless, angry, or threatening manner on school property or a school bus, at a school bus stop or school-sponsored event, or within 1,000 feet⁶ of a K-12 public or private school, during school hours or at the time of a school activity.⁷ Such exhibition is a third degree felony,⁸ unless it is made in lawful self-defense.⁹
- Possession of a weapon¹⁰ or firearm, “except as authorized in support of school-sanctioned activities, at a school-sponsored event or on the property of any school, school bus, or school bus stop.” Penalties for such possession vary, as follows:
 - A person who willfully and knowingly unlawfully possesses a firearm on school property or a school bus or at a school bus stop or school-sponsored activity or event commits a third degree felony.¹¹
 - A person who fails to securely store a firearm, enabling a minor to access it who then unlawfully possesses it on school property or a school bus or at a school bus stop or school-sponsored activity or event, commits a second degree misdemeanor.¹²
 - A person who discharges a firearm while unlawfully possessing it on school property or a school bus or at a school bus stop or school-sponsored activity or event, commits a second degree felony,¹³ unless discharged for lawful defense of self or others or for a lawful purpose.¹⁴

The law provides several exceptions allowing individuals to carry a firearm on school property or a school bus or at a school bus stop or school-sponsored activity or event without express approval by school officials. A firearm may be carried:

- To a school-approved firearms program;
- To a career center having a firearms training range; or

⁴ Section 790.115(2)(a), F.S. (flush left provision at end of paragraph).

⁵ “Weapon” means any dirk, knife, metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon except a firearm or a common pocketknife, plastic knife, or blunt-bladed table knife. s. 790.001(13), F.S. Exhibiting a sword, sword cane, electric weapon or device, destructive device, razor blade, box cutter, or common pocketknife is also prohibited. s. 790.115(1), F.S.

⁶ The prohibition on exhibition of a firearm or weapon on private real property within 1,000 feet of a school does not apply to the property owner or those whose presence is authorized by the owner. s. 790.115(1), F.S.

⁷ Section 790.115(1), F.S.

⁸ A third degree felony is punishable by a term of imprisonment not exceeding five years and a fine not exceeding \$5,000. ss. 775.082(3)(e) and 775.083(1)(c), F.S.

⁹ Section 790.115(1), F.S.

¹⁰ In addition to firearms and items defined as weapons, this provision also applies to possession of an electric weapon or device, destructive device, and a razor blade or box cutter. Section 790.115(2)(a), F.S.; *see footnote text, supra* note 4.

¹¹ Section 790.115(2)(e), F.S.

¹² Section 790.115(2)(c), F.S. This does not apply if the firearm was securely stored and the minor obtains the firearm as a result of an unlawful entry by any person. Also exempt from this section are members of the Armed Forces, National Guard, State Militia, or law enforcement officers, if the minor gains possession during or incidental to the performance of their official duties. *Id.*

¹³ A second degree felony is punishable by a term of imprisonment not exceeding 15 years and a fine not exceeding \$10,000. ss. 775.082(4)(d) and 775.083(1)(b), F.S.

¹⁴ Section 790.115(2)(d), F.S.

- In a vehicle by a person who is at least 18 years of age and the firearm is securely encased or not readily accessible for immediate use.

School districts may adopt policies waiving the vehicle exception for purposes of student and campus parking privileges.¹⁵

Concealed Weapon and Firearm Permits

Florida law authorizes the Department of Agriculture and Consumer Services (DACS) to issue a concealed weapons and firearm license to individuals who meet statutory qualifications. Among other criteria, applicants must pass a fingerprint-based criminal background check and complete a firearm proficiency training class. The concealed carry license is a photo identification that enables the holder to carry a concealed weapon or firearm in public, except for specified locations, *e.g.*, school or college athletic events; elementary, secondary, and postsecondary schools; and career centers.¹⁶

The Florida Department of Law Enforcement (FDLE) Criminal Justice Standards and Training Commission certifies law enforcement officers and correctional probation officers after training curriculum has been successfully completed and other conditions are met.¹⁷ Officers who hold an active certification are not required to possess a concealed carry license in order to carry a concealed weapon or firearm while they are off-duty.¹⁸

Concealed Carry Licenses for Retired Law Enforcement, Active, and Discharged Military

With a passing score on the firing range testing component of the minimum firearms proficiency course for active law enforcement officers, a retired law enforcement officer is authorized under federal law to carry a concealed firearm with proper state identification.¹⁹

Military firearms training is recognized as evidence of competence with a firearm for purposes of the concealed carry license but all other requirements must be met for both active and retired military.²⁰ A person applying for a concealed carry license may show proficiency with a firearm by presenting evidence of experience with a firearm during military service.²¹

Safe Storage

Florida law requires persons to store loaded firearms securely to prevent minors from gaining access to them.²²

¹⁵ Section 790.115(2)(a)3., F.S.; *see, e.g.*, Policy 7217-Weapons (2012) Leon County School Board.

¹⁶ Section 790.06(12), F.S.

¹⁷ Section 943.13(9), F.S., and related provisions within chapter 943, F.S. The curriculum includes “high liability training” which requires the recruit to demonstrate safety and marksmanship with a firearm. s. 943.14(6)(a), F.S.

¹⁸ Section 790.052, F.S., applies to officers defined in ss. 943.10(1), (2), (3), (6), (7), (8) and (9), F.S.

¹⁹ Generally, retired in good standing after at least 15 years of service. s. 943.132, F.S.

²⁰ The 21 years of age requirement has been waived for active and honorably discharged veteran military. ss. 790.06(2)(b) and 790.062, F.S.

²¹ Section 790.06(2)(h)5., F.S.

²² Sections 790.115(2)(c)2. and 790.174, F.S.

School Safety

Emergency Policies

Florida law requires each district school board to formulate policies and procedures for emergency response drills and actual emergencies.²³ These policies must include procedures for responding to various emergencies, such as fires, natural disasters, and bomb threats.²⁴ Commonly used alarm system responses for specific types of emergencies must be incorporated into such policies.²⁵

The *Safety and Security Best Practices* (Best Practices) is a self-assessment tool that each school district must use to annually assess the effectiveness of district emergency response policies.²⁶ Among other “best practices,” the self-assessment suggests that school districts:²⁷

- Develop a district-wide plan for potential attacks against school sites.
- Develop a checklist with step-by-step emergency procedures for use in every classroom which includes, among other things, procedures for weapons and hostage situations.
- Share emergency plans and procedures with designated school and school district personnel, identify training for all types of school staff and staff that require specialized training, and incorporate such training into the Master Plan for In-Service Training.

Each district school superintendent must make recommendations to the school board for improving emergency response policies based upon the self-assessment results.²⁸ The self-assessment results and superintendent’s recommendations must be addressed in a publicly noticed school board meeting.²⁹ The results of the self-assessment and any school board action on the superintendent’s recommendations must be reported to the Commissioner of Education within 30 days after the school board meeting.³⁰

School Resource Officers

School resource officers are employed by a law enforcement agency.³¹ They are certified law enforcement officers who retain all the powers and duties of a law enforcement officer during their tenure as a school resource officer.³²

²³ Section 1006.07(4)(a), F.S. Additionally, district school boards must establish model emergency management and preparedness procedures for weapon-use and hostage situations; hazardous materials or toxic chemical spills; weather emergencies, including hurricanes, tornadoes, and severe storms; and exposure resulting from manmade emergencies. s. 1006.07(4)(b), F.S.

²⁴ Section 1006.07(4)(a), F.S.

²⁵ *Id.*

²⁶ Section 1006.07(6), F.S. The self-assessment is developed by the Office of Program Policy Analysis and Government Accountability. *Id.*

²⁷ See Florida Department of Education, *District Safety and Security Best Practices* (2014) available at <http://www.fldoe.org/core/fileparse.php/3/urllt/2014bpi.pdf>.

²⁸ Section 1006.07(6), F.S.

²⁹ *Id.*

³⁰ *Id.*

³¹ Section 1006.12(1)(a), F.S.

³² *Id.*

School Safety Officers

School safety officers are certified law enforcement officers, who are employed by either a law enforcement agency or a district school board. A school safety officer has the authority to carry weapons when performing official duties. School boards are authorized, but not required, to commission and assign to schools school safety officers for the protection of school personnel, property, and students within the school district. School boards may enter into mutual aid agreements with one or more law enforcement agencies. A school safety officer's salary may be paid jointly by the school board and the law enforcement agency, if mutually agreed to.³³

Background Screening

Florida law requires school district employees to undergo a fingerprint-based background screening as a condition of employment.³⁴ Instructional and noninstructional personnel³⁵ and noninstructional school district employees and contracted personnel³⁶ must undergo a Level 2 background screening.³⁷ A Level 2 background screening requires individuals to be screened against a statutorily prescribed list of 51 criminal offenses.³⁸ Such employees must be rescreened every five years.³⁹

III. Effect of Proposed Changes:

SB 180 amends s. 790.115, F.S., authorizing certain public or nonpublic school employees or volunteers to carry a concealed weapon or firearm on school property. The bill provides legislative intent acknowledging that the safekeeping of students, teachers, and campuses is imperative.

The bill defines a "school" to include a preschool, elementary school, middle school, junior high school, secondary school, adult education facility, career center, or postsecondary institution, whether public or nonpublic, or any combination of such schools, facilities, or centers.

The bill authorizes a school principal to recommend, and a school superintendent to designate, with the approval of the district school board, individuals to serve as "school safety designees." Such persons must be licensed to carry a concealed weapon or firearm pursuant to the requirements of s. 790.06, F.S., and must be:

- An honorably discharged military veteran with no firearm-related disciplinary infraction;
- An active-duty member of the military, National Guard, or reserves with no firearm-related disciplinary infraction; or

³³ Sections 1006.12(2)(b) and (d), F.S.

³⁴ Sections 1012.32, 1012.465, and 1012.467, F.S. Private schools participating in educational choice scholarship programs must also submit fingerprints of employees and contracted personnel who have direct student contact to FDLE. *See* ss. 943.0542 and 1002.421(2)(i), F.S.

³⁵ Instructional and noninstructional personnel are individuals who are hired or contracted to fill positions that require direct contact with students in any public school. s. 1012.32(2), F.S.

³⁶ Noninstructional school district employees and contracted personnel are individuals who are permitted access to school grounds when students are present; who have direct contact with students; or who have access to, or control of, school funds. s. 1012.465(1), F.S.

³⁷ Sections 1012.32(1)-(2), 1012.465(2), and 1012.56(10), F.S.

³⁸ Sections 435.04, 1012.32(2), 1012.465(1), and 1012.56(10), F.S.

³⁹ Sections 1012.465(2) and 1012.56(10)(b), F.S.

- A law enforcement officer in good standing or a former officer who has retired or terminated employment in good standing and not during the course of an internal investigation.

School safety designees are specifically exempted from current law that prohibits possessing a firearm on school property, school buses, or at school bus stops. The designee is required to carry the weapon or firearm, on his or her person, in a concealed manner at all times while performing official school or school safety designee duties. A school safety designee who stores or leaves a firearm within the reach or easy access of a minor who obtains the firearm commits a second degree misdemeanor.

A school safety designee must undergo a Level 2 background screening as described above. He or she may be required to submit to additional screenings by the school superintendent at any time. The fingerprints of the school safety designee must be forwarded to the Florida Department of Law Enforcement (FDLE) for retention and future searches against state and federal arrest records. Any fingerprint search or retention fees are payable by the school safety designee or school.

The bill requires the school safety designee to submit proof of completion of a school safety program to the superintendent. The school safety program must be created and defined by the Criminal Justice Standards and Training Commission (commission). The commission will also develop the program curriculum. The bill requires state-operated criminal justice training centers to administer the program. The school safety program may include, but is not limited to:

- Active-shooter training;
- Firearm proficiency;
- School resource officer training;
- Crisis intervention training;
- Weapons retention training; and
- Continuing education and training.

The bill requires the school board to develop and incorporate policies related to the use of school safety designees within its overall safety plan if such designees are utilized by the school system. Likewise, best practices shall be coordinated with the local law enforcement responders so that a school safety designee can be quickly identified in an emergency situation.

If there is an emergency, the school safety designee must be under the direction of the school resource officer, if any. When local law enforcement responds, the school safety designee will be under that agency's direction.

The school property where school safety designees are utilized may contain signs that read: "Authorized Armed Defense Present and Permitted."

The bill requires that each school board's policies and procedures for emergencies and emergency drills include active-shooter and hostage situations. The bill also requires district school boards and private school principals or governing boards to provide for the first responder law enforcement agencies to tour the campuses every three years. Any changes recommended by the law enforcement agency must be documented by school officials.

An appropriation of nonrecurring funds from General Revenue in the amount of \$157,927 is made to FDLE for FY 2015-2016. The funds are designated for the Criminal Justice Standards and Training Commission to develop the school safety training curriculum required by the bill. The school safety program must be created by January 1, 2016.

The bill provides an effective date of July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill specifies that either the school safety designee or the school will bear the cost of state and national fingerprint processing and retention fees. Current costs as reported by FDLE are \$40.50 for the background check, \$13 for lifetime federal retention of the fingerprints, and \$6 annually to FDLE for state retention. The cost of the background check is scheduled to decrease slightly in February 2015. Responsibility for the cost of completing the newly-created school safety designee program and any continuing education and training is not addressed in the bill. It is not known what the cost of the program will be. Persons who choose to become school safety designees may experience this fiscal impact.

C. Government Sector Impact:

An appropriation of nonrecurring funds from General Revenue in the amount of \$157,927 is made to Florida Department of Law Enforcement (FDLE) for FY 2015-2016. The funds are designated for the Criminal Justice Standards and Training Commission to develop the school safety training curriculum required by the bill.

FDLE reports that the appropriation in the bill is based on its analysis of HB 753 (2014) which provided for the development of three courses for the school safety designee

program, two of which already exist.⁴⁰ SB 180 does not require a specific curriculum for the school safety designee program, therefore FDLE's budget estimate from 2014 and the appropriation set forth in the bill will likely be adequate to create one course for the program.⁴¹

It appears that local school districts that choose to implement the school safety designee program may be responsible for the cost of background checks, fingerprint retention, and training related to the program unless the designee bears those costs.⁴²

VI. Technical Deficiencies:

It appears that line 300 of the bill should read (7) CAMPUS TOURS BY LAW ENFORCEMENT AGENCIES.—A district school. Deleting “SAFETY IN CONSTRUCTION AND PLANNING” and inserting “CAMPUS TOURS BY LAW ENFORCEMENT AGENCIES” will more accurately reflect the content of the newly-created subsection.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 790.115, 1006.07, 1006.12, 435.04, 790.251, 921.0022, and 1012.315.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

⁴⁰ Florida Department of Law Enforcement, *Legislative Bill Analysis* (January 13, 2015).

⁴¹ *Id.*

⁴² *Id.*



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/15/2015	.	
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The Committee on Education Pre-K - 12 (Benacquisto) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Section 1006.20, Florida Statutes, is amended to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ASSOCIATION ~~ORGANIZATION~~.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit association for purposes of



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11 membership in the National Federation of State High School
12 Associations ~~organization of athletics in Florida public~~
13 ~~schools.~~ Following completion of each operational audit
14 conducted pursuant to s. 1006.19, the Commissioner of Education
15 shall review the FHSAA's performance in governing
16 interscholastic athletics in compliance with this part,
17 including the guiding principles for student eligibility for
18 extracurricular activities. If, at any time, the FHSAA fails to
19 meet the provisions of this ~~part section~~, the commissioner, with
20 the approval of the State Board of Education, shall designate
21 another ~~a~~ nonprofit association ~~organization~~ to govern
22 interscholastic athletics in this state and serve as Florida's
23 voting member association of the National Federation of State
24 High School Associations ~~athletics with the approval of the~~
25 ~~State Board of Education.~~ The FHSAA is not a state agency as
26 defined in s. 120.52 ~~but is.~~ The FHSAA shall be subject to ss.
27 1006.15-1006.19. Any special event fees, sanctioning fees,
28 including third-party sanctioning fees, or contest receipts
29 collected annually by the FHSAA may not exceed its actual costs
30 to perform the function or duty that is the subject of or
31 justification for the fee ~~the provisions of s. 1006.19.~~ The
32 FHSAA shall offer spectators seeking admission to athletic
33 competitions the option of purchasing a single-day pass or a
34 multiple-day pass that is at a cost below that which one would
35 pay on a per-event basis for the same number of contests ~~A~~
36 ~~private school that wishes to engage in high school athletic~~
37 ~~competition with a public high school may become a member of the~~
38 FHSAA. Any high school in the state, including private schools,
39 traditional public schools, charter schools, virtual schools,



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40 and home education cooperatives, may become a member of the
41 FHSAA and participate in the activities of the FHSAA. ~~However,~~
42 Membership in the FHSAA is not mandatory for any school. FHSAA
43 shall allow a school the option of joining the association as a
44 full-time member or on a per sport basis and may not prohibit or
45 discourage any school from simultaneously maintaining membership
46 in FHSAA and another athletic association. The FHSAA may not
47 deny or discourage interscholastic competition between its
48 member schools and nonmember ~~non-FHSAA member Florida~~ schools,
49 including members of another athletic association ~~governing~~
50 ~~organization~~, and may not take any retributory or discriminatory
51 action against any of its member schools that participate in
52 interscholastic competition with nonmember ~~non-FHSAA member~~
53 ~~Florida~~ schools. The FHSAA may not unreasonably withhold its
54 approval of an application to become an affiliate member of the
55 National Federation of State High School Associations submitted
56 by any other association ~~organization~~ that governs
57 interscholastic athletic competition in this state which meets
58 the requirements of this section. The commissioner may identify
59 other associations that govern interscholastic athletic
60 competition in compliance with this section ~~The bylaws of the~~
61 ~~FHSAA are the rules by which high school athletic programs in~~
62 ~~its member schools, and the students who participate in them,~~
63 ~~are governed, unless otherwise specifically provided by statute.~~
64 For the purposes of this section, "high school" includes grades
65 6 through 12.

66 (2) STUDENT ELIGIBILITY REQUIREMENTS; RECRUITING ADOPTION
67 ~~OF BYLAWS, POLICIES; ELIGIBILITY DISPUTE RESOLUTION, OR~~
68 GUIDELINES. The FHSAA shall:



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69 (a) ~~The FHSAA shall adopt bylaws that, unless specifically~~
70 ~~provided by statute,~~ Establish eligibility requirements for all
71 students who participate in high school athletic competition in
72 its member schools. A ~~The bylaws governing residence and~~
73 ~~transfer shall allow the student~~ is to be eligible in the school
74 in which he or she first enrolls each school year or the school
75 in which the student makes himself or herself a candidate for an
76 athletic team by engaging in a practice before ~~prior to~~
77 enrolling in the school. A student who transfers ~~The bylaws~~
78 ~~shall also allow the student to be eligible in the school to~~
79 ~~which the student has transferred during the school year~~ is
80 eligible in the school to which he or she transfers ~~if the~~
81 ~~transfer is made by a deadline established by the FHSAA, which~~
82 ~~may not be prior to the date authorized for the beginning of~~
83 ~~practice for the sport. These transfers shall be allowed~~
84 ~~pursuant to the district school board policies in the case of~~
85 ~~transfer to a public school or pursuant to the private school~~
86 ~~policies in the case of transfer to a private school. The~~
87 ~~student shall be eligible in that school so long as he or she~~
88 ~~remains enrolled in that school. Subsequent eligibility shall be~~
89 ~~determined and enforced through the FHSAA's bylaws. Requirements~~
90 ~~governing eligibility and transfer between member schools shall~~
91 ~~be applied similarly to public school students and private~~
92 ~~school students.~~

93 (b) ~~The FHSAA shall adopt bylaws that specifically~~ Prohibit
94 the recruiting of students for athletic purposes and. ~~The bylaws~~
95 ~~shall~~ prescribe penalties and an appeals process for athletic
96 recruiting violations. If it is determined that a school has
97 recruited a student ~~in violation of FHSAA bylaws,~~ the FHSAA may



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98 require the school to participate in a higher classification for
99 the sport in which the recruited student competes for a minimum
100 of one classification cycle, in addition to any other
101 appropriate fine and sanction imposed on the school, its
102 coaches, or adult representatives who commit ~~violate~~ recruiting
103 violations ~~rules~~. A student may ~~not~~ be declared ineligible based
104 on a recruiting violation only if of recruiting rules unless the
105 student or parent has committed an act specified in s.
106 1006.15(4)(b)1.b. or the FHSAA has imposed sanctions against the
107 individuals or member school engaging in recruiting and the
108 student or the parent has committed an act specified in s.
109 1006.15(4)(b)1.c. The FHSAA may not limit the competition of a
110 student athlete prospectively for a rule violation by his or her
111 school, the school's coach, or the student athlete's adult
112 representative. The FHSAA may not punish a student athlete for
113 an eligibility or recruiting violation perpetrated by a
114 teammate, coach, or administrator. A contest may not be
115 forfeited for an inadvertent eligibility violation unless the
116 coach or a school administrator should have known of the
117 violation. Contests may not be forfeited for other eligibility
118 violations or recruiting violations in excess of the number of
119 contests from which the coaches and adult representatives
120 responsible for the violations are prospectively suspended. The
121 mass distribution of untargeted mailings, electronic mailings,
122 or printed guides or booklets by or on behalf of a member school
123 which include detailed information regarding the member school's
124 interscholastic athletic programs may not be considered
125 violations of the FHSAA's policies ~~falsified any enrollment or~~
126 ~~eligibility document or accepted any benefit or any promise of~~



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127 ~~benefit if such benefit is not generally available to the~~
128 ~~school's students or family members or is based in any way on~~
129 ~~athletic interest, potential, or performance.~~

130 (c) ~~The FHSAA shall adopt bylaws that~~ Require all students
131 participating in interscholastic athletic competition or who are
132 candidates for an interscholastic athletic team to
133 satisfactorily pass a medical evaluation each year before ~~prior~~
134 ~~to~~ participating in interscholastic athletic competition or
135 engaging in any practice, tryout, workout, or other physical
136 activity associated with the student's candidacy for an
137 interscholastic athletic team. Such medical evaluation may be
138 administered only by a practitioner licensed under chapter 458,
139 chapter 459, chapter 460, or s. 464.012, and in good standing
140 with the practitioner's regulatory board. The FHSAA ~~bylaws~~ shall
141 establish requirements for eliciting a student's medical history
142 and performing the medical evaluation required under this
143 paragraph, which shall include a physical assessment of the
144 student's physical capabilities to participate in
145 interscholastic athletic competition as contained in a uniform
146 preparticipation physical evaluation and history form. The
147 evaluation form shall incorporate the recommendations of the
148 American Heart Association for participation in cardiovascular
149 screening and shall provide a place for the signature of the
150 practitioner performing the evaluation with an attestation that
151 each examination procedure listed on the form was performed by
152 the practitioner or by someone under the direct supervision of
153 the practitioner. The form shall also contain a place for the
154 practitioner to indicate if a referral to another practitioner
155 was made in lieu of completion of a certain examination



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156 procedure. The form shall provide a place for the practitioner
157 to whom the student was referred to complete the remaining
158 sections and attest to that portion of the examination. The
159 preparticipation physical evaluation form shall advise students
160 to complete a cardiovascular assessment and shall include
161 information concerning alternative cardiovascular evaluation and
162 diagnostic tests. Results of such medical evaluation must be
163 provided to the school. A ~~No~~ student is not ~~shall be~~ eligible to
164 participate in any interscholastic athletic competition or
165 engage in any practice, tryout, workout, or other physical
166 activity associated with the student's candidacy for an
167 interscholastic athletic team until the results of the medical
168 evaluation are ~~have been~~ received and approved by the school.

169 (d) Notwithstanding ~~the provisions of~~ paragraph (c), allow
170 a student to ~~may~~ participate in interscholastic athletic
171 competition or be a candidate for an interscholastic athletic
172 team if the parent of the student objects in writing to the
173 student undergoing a medical evaluation because such evaluation
174 is contrary to his or her religious tenets or practices.
175 However, in such case, there shall be no liability on the part
176 of any person or entity in a position to otherwise rely on the
177 results of such medical evaluation for any damages resulting
178 from the student's injury or death arising directly from the
179 student's participation in interscholastic athletics where an
180 undisclosed medical condition that would have been revealed in
181 the medical evaluation is a proximate cause of the injury or
182 death.

183 (e) ~~The FHSAA shall adopt bylaws that~~ Regulate persons who
184 conduct investigations on behalf of the FHSAA. ~~The bylaws shall~~



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185 ~~include provisions that require~~ An investigator must ~~to~~:
186 1. Undergo level 2 background screening under s. 435.04,
187 establishing that the investigator has not committed any
188 disqualifying offense listed in s. 435.04, unless the
189 investigator can provide proof of compliance with level 2
190 screening standards submitted within the previous 5 years to
191 meet any professional licensure requirements, provided:
192 a. The investigator has not had a break in service from a
193 position that requires level 2 screening for more than 90 days;
194 and
195 b. The investigator submits, under penalty of perjury, an
196 affidavit verifying that the investigator has not committed any
197 disqualifying offense listed in s. 435.04 and is in full
198 compliance with this paragraph.
199 2. Be appointed as an investigator by the FHSAA ~~executive~~
200 ~~director~~.
201 3. Carry a photo identification card that shows the FHSAA
202 name ~~and~~ logo, and the investigator's official title.
203 4. Adhere to the following guidelines:
204 a. Investigate only those alleged violations assigned by
205 the FHSAA ~~executive director or the board of directors~~.
206 b. Conduct interviews on Monday through Friday between the
207 hours of 9 a.m. and 7 p.m. only, unless previously agreed to by
208 the interviewee.
209 c. Allow the parent of any student being interviewed to be
210 present during the interview.
211 d. Search residences or other private areas only with the
212 permission of the FHSAA ~~executive director~~ and the written
213 consent of the student's parent and only with a parent or a



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214 representative of the parent present.

215 (f) ~~The FHSAA shall adopt bylaws that~~ Establish sanctions
216 for coaches who have committed major violations ~~of the FHSAA's~~
217 ~~bylaws and policies.~~

218 1. Major violations include, but are not limited to,
219 knowingly allowing an ineligible student to participate in a
220 contest representing a member school in an interscholastic
221 contest or committing a violation of the FHSAA's recruiting or
222 sports ethics sportsmanship policies.

223 2. Sanctions placed upon an individual coach may include,
224 but are not limited to, prohibiting or suspending the coach from
225 coaching, participating in, or attending any athletic activity
226 sponsored, recognized, or sanctioned by the FHSAA and the member
227 school for which the coach committed the violation. If a coach
228 is sanctioned by the FHSAA and the coach transfers to another
229 member school, those sanctions remain in full force and effect
230 during the term of the sanction.

231 3. If a member school is assessed a financial penalty as a
232 result of a coach committing a major violation, the coach shall
233 reimburse the member school before being allowed to coach,
234 participate in, or attend any athletic activity sponsored,
235 recognized, or sanctioned by the FHSAA and a member school.

236 4. The FHSAA shall establish a due process procedure for
237 coaches sanctioned under this paragraph, ~~consistent with the~~
238 ~~appeals procedures set forth in subsection (7).~~

239 (g) Provide a process for the resolution of student
240 eligibility disputes. The FHSAA shall provide an opportunity to
241 resolve eligibility issues through an informal conference
242 procedure. The FHSAA must provide written notice to the student



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243 athlete, parent, and member school stating specific findings of
244 fact that support a determination of ineligibility. The student
245 athlete must request an informal conference if he or she intends
246 to contest the charges. The informal conference must be held
247 within 10 days after receipt of the student athlete's request.
248 If the eligibility dispute is not resolved at the informal
249 conference, the FHSAA shall provide a process for the timely and
250 cost-effective resolution of an eligibility dispute using a
251 neutral third party, including the use of retired or former
252 judges, mediation, or arbitration. The neutral third party shall
253 be selected by the parent of the student athlete from a list
254 maintained by the FHSAA. A final determination regarding the
255 eligibility dispute must be issued no later than 30 days after
256 the informal conference. The FHSAA shall adopt bylaws
257 establishing the process for resolving eligibility disputes must
258 and standards by which FHSAA determinations of eligibility are
259 made. Such bylaws shall provide that:

260 1. Ineligibility must be established by clear and
261 convincing evidence.

262 2. Student athletes, parents, and schools must have notice
263 of the initiation of any investigation or other inquiry into
264 eligibility and may present, to the investigator and to the
265 individual or body making the eligibility determination, any
266 information or evidence that is credible, persuasive, and of a
267 kind reasonably prudent persons rely upon in the conduct of
268 serious affairs.

269 3. An investigator may not determine matters of eligibility
270 but must submit information and evidence to the individual or
271 body designated by the FHSAA ~~executive director or a person~~



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272 ~~designated by the executive director or by the board of~~
273 ~~directors~~ for an unbiased and objective determination of
274 eligibility. ~~and~~

275 4. A determination of ineligibility must be made in
276 writing, setting forth the findings of fact and specific
277 violation upon which the decision is based.

278 5. Any proceedings concerning student athlete eligibility
279 must be held in the county in which the student athlete resides
280 and may be conducted by telephone, videoconference, or other
281 electronic means.

282 6. A student athlete may not be declared ineligible to
283 participate in athletic competition until a final decision is
284 issued by the neutral third party unless the determination of
285 ineligibility is based on s. 1006.15(4)(b)1.a., e., or f. It is
286 the responsibility of the member school to assess the facts
287 underlying the eligibility dispute and any potential penalties
288 that may result from a determination of ineligibility in
289 deciding whether to allow the student athlete to continue to
290 participate before a final eligibility determination.

291 ~~(h) In lieu of bylaws adopted under paragraph (g), the~~
292 ~~FHSAA may adopt bylaws providing as a minimum the procedural~~
293 ~~safeguards of ss. 120.569 and 120.57, making appropriate~~
294 ~~provision for appointment of unbiased and qualified hearing~~
295 ~~officers.~~

296 ~~(i) The FHSAA bylaws may not limit the competition of~~
297 ~~student athletes prospectively for rule violations of their~~
298 ~~school or its coaches or their adult representatives. The FHSAA~~
299 ~~bylaws may not unfairly punish student athletes for eligibility~~
300 ~~or recruiting violations perpetrated by a teammate, coach, or~~



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301 ~~administrator. Contests may not be forfeited for inadvertent~~
302 ~~eligibility violations unless the coach or a school~~
303 ~~administrator should have known of the violation. Contests may~~
304 ~~not be forfeited for other eligibility violations or recruiting~~
305 ~~violations in excess of the number of contests that the coaches~~
306 ~~and adult representatives responsible for the violations are~~
307 ~~prospectively suspended.~~

308 (h) ~~(j)~~ ~~The FHSAA shall~~ Adopt guidelines to educate athletic
309 coaches, officials, administrators, and student athletes and
310 their parents about ~~of~~ the nature and risk of concussion and
311 head injury.

312 (i) ~~(k)~~ ~~The FHSAA shall adopt bylaws or policies that~~
313 Require the parent of a student who is participating in
314 interscholastic athletic competition or who is a candidate for
315 an interscholastic athletic team to sign and return an informed
316 consent that explains the nature and risk of concussion and head
317 injury, including the risk of continuing to play after
318 concussion or head injury, each year before participating in
319 interscholastic athletic competition or engaging in any
320 practice, tryout, workout, or other physical activity associated
321 with the student's candidacy for an interscholastic athletic
322 team.

323 (j) ~~(l)~~ ~~The FHSAA shall adopt bylaws or policies that~~
324 Require each student athlete who is suspected of sustaining a
325 concussion or head injury in a practice or competition to be
326 immediately removed from the activity. A student athlete who has
327 been removed from an activity may not return to practice or
328 competition until the student submits to the school a written
329 medical clearance to return stating that the student athlete no



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330 longer exhibits signs, symptoms, or behaviors consistent with a
331 concussion or other head injury. Medical clearance must be
332 authorized by the appropriate health care practitioner trained
333 in the diagnosis, evaluation, and management of concussions as
334 defined by the Sports Medicine Advisory Committee of the Florida
335 High School Athletic Association.

336 (k) (m) Establish ~~The FHSAA shall adopt bylaws for the~~
337 ~~establishment and~~ duties of a sports medicine advisory committee
338 composed of the following members:

339 1. Eight physicians licensed under chapter 458 or chapter
340 459, with at least one member licensed under chapter 459.

341 2. One chiropractor licensed under chapter 460.

342 3. One podiatrist licensed under chapter 461.

343 4. One dentist licensed under chapter 466.

344 5. Three athletic trainers licensed under part XIII of
345 chapter 468.

346 6. One member who is a current or retired head coach of a
347 high school in the state.

348 (l) Adopt guidelines, provide resources, and develop a
349 training course to promote sports ethics in interscholastic
350 athletics and require each member school to:

351 1. Establish policies that promote sports ethics in its
352 interscholastic athletic programs.

353 2. Educate, on a continuing basis, student athletes,
354 athletic coaches, and administrators regarding these policies.

355 3. Annually administer the sports ethics training course to
356 student athletes, athletic coaches, and administrators.

357 4. Annually certify compliance with this paragraph by a
358 deadline established by the FHSAA.



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359
360 In developing the sports ethics training course, the FHSAA may
361 provide for multiple modes of delivery, including in-person
362 seminars or videoconferencing, webinars, or other electronic
363 means.

364 (3) GOVERNING STRUCTURE OF THE FHSAA.—

365 (a) The FHSAA shall operate as a representative democracy
366 in which the sovereign authority is within its member schools
367 and the parents of students participating in interscholastic
368 athletics within those schools. ~~Except as provided in this~~
369 ~~section, the FHSAA shall govern its affairs through its bylaws.~~

370 (b) Each member school, on its annual application for
371 membership, shall name its official representative to the FHSAA.
372 This representative must be either the school principal or his
373 or her designee. That designee must either be an assistant
374 principal or athletic director housed within that same school.

375 (c) The governing board of the FHSAA shall consist of 16
376 members composed proportionately of representatives from
377 traditional public schools, public schools of choice, private
378 schools, home education cooperatives, and parents of student
379 athletes who are enrolled in such schools or programs. The
380 governing board must also be constituted in a manner that
381 provides for equitable representation among the various regions
382 of the state where the association's member schools are located.
383 Any additional policymaking body established by the FHSAA must
384 provide for proportionate representation of schools, programs,
385 parents, and regions of the state as described in this paragraph
386 ~~FHSAA's membership shall be divided along existing county lines~~
387 ~~into four contiguous and compact administrative regions, each~~



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388 ~~containing an equal or nearly equal number of member schools to~~
389 ~~ensure equitable representation on the FHSAA's board of~~
390 ~~directors, representative assembly, and appeals committees.~~

391 (d) The FHSAA shall annually require each member of the
392 governing board or other policymaking body to attend nonprofit
393 governance training, which must include government in the
394 sunshine, conflicts of interest, ethics, and student athlete-
395 centered decisionmaking consistent with the guiding principles
396 for participation in extracurricular activities under s.
397 1006.15.

398 ~~(4) BOARD OF DIRECTORS.—~~

399 ~~(a) The executive authority of the FHSAA shall be vested in~~
400 ~~its board of directors. Any entity that appoints members to the~~
401 ~~board of directors shall examine the ethnic and demographic~~
402 ~~composition of the board when selecting candidates for~~
403 ~~appointment and shall, to the greatest extent possible, make~~
404 ~~appointments that reflect state demographic and population~~
405 ~~trends. The board of directors shall be composed of 16 persons,~~
406 ~~as follows:~~

407 ~~1. Four public member school representatives, one elected~~
408 ~~from among its public school representative members within each~~
409 ~~of the four administrative regions.~~

410 ~~2. Four nonpublic member school representatives, one~~
411 ~~elected from among its nonpublic school representative members~~
412 ~~within each of the four administrative regions.~~

413 ~~3. Three representatives appointed by the commissioner, one~~
414 ~~appointed from the two northernmost administrative regions and~~
415 ~~one appointed from the two southernmost administrative regions.~~
416 ~~The third representative shall be appointed to balance the board~~



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417 ~~for diversity or state population trends, or both.~~

418 ~~4. Two district school superintendents, one elected from~~
419 ~~the two northernmost administrative regions by the members in~~
420 ~~those regions and one elected from the two southernmost~~
421 ~~administrative regions by the members in those regions.~~

422 ~~5. Two district school board members, one elected from the~~
423 ~~two northernmost administrative regions by the members in those~~
424 ~~regions and one elected from the two southernmost administrative~~
425 ~~regions by the members in those regions.~~

426 ~~6. The commissioner or his or her designee from the~~
427 ~~department executive staff.~~

428 ~~(b) A quorum of the board of directors shall consist of~~
429 ~~nine members.~~

430 ~~(c) The board of directors shall elect a president and a~~
431 ~~vice president from among its members. These officers shall also~~
432 ~~serve as officers of the FHSAA.~~

433 ~~(d) Members of the board of directors shall serve terms of~~
434 ~~3 years and are eligible to succeed themselves only once. A~~
435 ~~member of the board of directors, other than the commissioner or~~
436 ~~his or her designee, may serve a maximum of 6 consecutive years.~~
437 ~~The FHSAA's bylaws shall establish a rotation of terms to ensure~~
438 ~~that a majority of the members' terms do not expire~~
439 ~~concurrently.~~

440 ~~(e) The authority and duties of the board of directors,~~
441 ~~acting as a body and in accordance with the FHSAA's bylaws, are~~
442 ~~as follows:~~

443 ~~1. To act as the incorporated FHSAA's board of directors~~
444 ~~and to fulfill its obligations as required by the FHSAA's~~
445 ~~charter and articles of incorporation.~~



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446 ~~2. To establish such guidelines, regulations, policies, and~~
447 ~~procedures as are authorized by the bylaws.~~

448 ~~3. To employ an FHSAA executive director, who shall have~~
449 ~~the authority to waive the bylaws of the FHSAA in order to~~
450 ~~comply with statutory changes.~~

451 ~~4. To levy annual dues and other fees and to set the~~
452 ~~percentage of contest receipts to be collected by the FHSAA.~~

453 ~~5. To approve the budget of the FHSAA.~~

454 ~~6. To organize and conduct statewide interscholastic~~
455 ~~competitions, which may or may not lead to state championships,~~
456 ~~and to establish the terms and conditions for these~~
457 ~~competitions.~~

458 ~~7. To act as an administrative board in the interpretation~~
459 ~~of, and final decision on, all questions and appeals arising~~
460 ~~from the directing of interscholastic athletics of member~~
461 ~~schools.~~

462 ~~(5) REPRESENTATIVE ASSEMBLY.—~~

463 ~~(a) The legislative authority of the FHSAA is vested in its~~
464 ~~representative assembly.~~

465 ~~(b) The representative assembly shall be composed of the~~
466 ~~following:~~

467 ~~1. An equal number of member school representatives from~~
468 ~~each of the four administrative regions.~~

469 ~~2. Four district school superintendents, one elected from~~
470 ~~each of the four administrative regions by the district school~~
471 ~~superintendents in their respective administrative regions.~~

472 ~~3. Four district school board members, one elected from~~
473 ~~each of the four administrative regions by the district school~~
474 ~~board members in their respective administrative regions.~~



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475 ~~4. The commissioner or his or her designee from the~~
476 ~~department executive staff.~~

477 ~~(c) The FHSAA's bylaws shall establish the number of member~~
478 ~~school representatives to serve in the representative assembly~~
479 ~~from each of the four administrative regions and shall establish~~
480 ~~the method for their selection.~~

481 ~~(d) No member of the board of directors other than the~~
482 ~~commissioner or his or her designee can serve in the~~
483 ~~representative assembly.~~

484 ~~(e) The representative assembly shall elect a chairperson~~
485 ~~and a vice chairperson from among its members.~~

486 ~~(f) Elected members of the representative assembly shall~~
487 ~~serve terms of 2 years and are eligible to succeed themselves~~
488 ~~for two additional terms. An elected member, other than the~~
489 ~~commissioner or his or her designee, may serve a maximum of 6~~
490 ~~consecutive years in the representative assembly.~~

491 ~~(g) A quorum of the representative assembly consists of one~~
492 ~~more than half of its members.~~

493 ~~(h) The authority of the representative assembly is limited~~
494 ~~to its sole duty, which is to consider, adopt, or reject any~~
495 ~~proposed amendments to the FHSAA's bylaws.~~

496 ~~(i) The representative assembly shall meet as a body~~
497 ~~annually. A two-thirds majority of the votes cast by members~~
498 ~~present is required for passage of any proposal.~~

499 ~~(6) PUBLIC LIAISON ADVISORY COMMITTEE.—~~

500 ~~(a) The FHSAA shall establish, sustain, fund, and provide~~
501 ~~staff support to a public liaison advisory committee composed of~~
502 ~~the following:~~

503 ~~1. The commissioner or his or her designee.~~



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- 504 ~~2. A member public school principal.~~
- 505 ~~3. A member private school principal.~~
- 506 ~~4. A member school principal who is a member of a racial~~
507 ~~minority.~~
- 508 ~~5. An active athletic director.~~
- 509 ~~6. An active coach, who is employed full time by a member~~
510 ~~school.~~
- 511 ~~7. A student athlete.~~
- 512 ~~8. A district school superintendent.~~
- 513 ~~9. A district school board member.~~
- 514 ~~10. A member of the Florida House of Representatives.~~
- 515 ~~11. A member of the Florida Senate.~~
- 516 ~~12. A parent of a high school student.~~
- 517 ~~13. A member of a home education association.~~
- 518 ~~14. A representative of the business community.~~
- 519 ~~15. A representative of the news media.~~
- 520 ~~(b) No member of the board of directors, committee on~~
521 ~~appeals, or representative assembly is eligible to serve on the~~
522 ~~public liaison advisory committee.~~
- 523 ~~(c) The public liaison advisory committee shall elect a~~
524 ~~chairperson and vice chairperson from among its members.~~
- 525 ~~(d) The authority and duties of the public liaison advisory~~
526 ~~committee are as follows:~~
- 527 ~~1. To act as a conduit through which the general public may~~
528 ~~have input into the decisionmaking process of the FHSAA and to~~
529 ~~assist the FHSAA in the development of procedures regarding the~~
530 ~~receipt of public input and disposition of complaints related to~~
531 ~~high school athletic and competition programs.~~
- 532 ~~2. To conduct public hearings annually in each of the four~~



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533 ~~administrative regions during which interested parties may~~
534 ~~address issues regarding the effectiveness of the rules,~~
535 ~~operation, and management of the FHSAA.~~

536 ~~3. To conduct an annual evaluation of the FHSAA as a whole~~
537 ~~and present a report of its findings, conclusion, and~~
538 ~~recommendations to the board of directors, to the commissioner,~~
539 ~~and to the respective education committees of the Florida Senate~~
540 ~~and the Florida House of Representatives. The recommendations~~
541 ~~must delineate policies and procedures that will improve the~~
542 ~~implementation and oversight of high school athletic programs by~~
543 ~~the FHSAA.~~

544 ~~(c) The public liaison advisory committee shall meet four~~
545 ~~times annually. Additional meetings may be called by the~~
546 ~~committee chairperson, the FHSAA president, or the FHSAA~~
547 ~~executive director.~~

548 ~~(7) APPEALS.—~~

549 ~~(a) The FHSAA shall establish a procedure of due process~~
550 ~~which ensures each student the opportunity to appeal an~~
551 ~~unfavorable ruling with regard to his or her eligibility to~~
552 ~~compete. The initial appeal shall be made to a committee on~~
553 ~~appeals within the administrative region in which the student~~
554 ~~lives. The FHSAA's bylaws shall establish the number, size, and~~
555 ~~composition of each committee on appeals.~~

556 ~~(b) No member of the board of directors is eligible to~~
557 ~~serve on a committee on appeals.~~

558 ~~(c) Members of a committee on appeals shall serve terms of~~
559 ~~3 years and are eligible to succeed themselves only once. A~~
560 ~~member of a committee on appeals may serve a maximum of 6~~
561 ~~consecutive years. The FHSAA's bylaws shall establish a rotation~~



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562 ~~of terms to ensure that a majority of the members' terms do not~~
563 ~~expire concurrently.~~

564 ~~(d) The authority and duties of a committee on appeals~~
565 ~~shall be to consider requests by member schools seeking~~
566 ~~exceptions to bylaws and regulations, to hear undue hardship~~
567 ~~eligibility cases filed by member schools on behalf of student~~
568 ~~athletes, and to hear appeals filed by member schools or student~~
569 ~~athletes.~~

570 ~~(e) A student athlete or member school that receives an~~
571 ~~unfavorable ruling from a committee on appeals shall be entitled~~
572 ~~to appeal that decision to the board of directors at its next~~
573 ~~regularly scheduled meeting or called meeting. The board of~~
574 ~~directors shall have the authority to uphold, reverse, or amend~~
575 ~~the decision of the committee on appeals. In all such cases, the~~
576 ~~decision of the board of directors shall be final.~~

577 ~~(f) The FHSAA shall expedite the appeals process on~~
578 ~~determinations of ineligibility so that disposition of the~~
579 ~~appeal can be made before the end of the applicable sports~~
580 ~~season, if possible.~~

581 ~~(g) In any appeal from a decision on eligibility made by~~
582 ~~the executive director or a designee, a school or student~~
583 ~~athlete filing the appeal must be permitted to present~~
584 ~~information and evidence that was not available at the time of~~
585 ~~the initial determination or if the determination was not made~~
586 ~~by an unbiased, objective individual using a process allowing~~
587 ~~full due process rights to be heard and to present evidence. If~~
588 ~~evidence is presented on appeal, a de novo decision must be made~~
589 ~~by the committee or board hearing the appeal, or the~~
590 ~~determination may be suspended and the matter remanded for a new~~



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591 ~~determination based on all the evidence. If a de novo decision~~
592 ~~is made on appeal, the decision must be made in writing, setting~~
593 ~~forth the findings of fact and specific violation upon which the~~
594 ~~decision is based. If a de novo decision is not required, the~~
595 ~~decision appealed must be set aside if the decision on~~
596 ~~ineligibility was not based on clear and convincing evidence.~~
597 ~~Any further appeal shall be considered on a record that includes~~
598 ~~all evidence presented.~~

599 ~~(8) AMENDMENT OF BYLAWS.—Each member school representative,~~
600 ~~the board of directors acting as a whole or as members acting~~
601 ~~individually, any advisory committee acting as a whole to be~~
602 ~~established by the FHSAA, and the FHSAA's executive director are~~
603 ~~empowered to propose amendments to the bylaws. Any other~~
604 ~~individual may propose an amendment by securing the sponsorship~~
605 ~~of any of the aforementioned individuals or bodies. All proposed~~
606 ~~amendments must be submitted directly to the representative~~
607 ~~assembly for its consideration. The representative assembly,~~
608 ~~while empowered to adopt, reject, or revise proposed amendments,~~
609 ~~may not, in and of itself, as a body be allowed to propose any~~
610 ~~amendment for its own consideration.~~

611 Section 2. Subsections (2) through (8) of section 1006.15,
612 Florida Statutes, are amended to read:

613 1006.15 Student standards for eligibility to participate
614 ~~participation in interscholastic and intrascholastic~~
615 ~~extracurricular student activities; regulation.—~~

616 (2) District school board and nonprofit association
617 policies governing student eligibility for extracurricular
618 activities shall be guided by the following principles:

619 (a) Interscholastic Extracurricular student activities are



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620 an important complement to the academic curriculum and provide
621 students with incentives to succeed academically.

622 (b) Participation in a comprehensive extracurricular and
623 academic program contributes to ~~student~~ development of the
624 social and intellectual skills necessary to become a well-
625 rounded adult.

626 (c) Extracurricular activities promote teamwork and
627 collaboration, expose students to individuals from diverse
628 backgrounds, and enhance parental engagement in the school.

629 (d) Policies governing student eligibility for
630 extracurricular activities should not impede parental school
631 choice.

632 (e) A student's school attendance zone or choice of
633 educational program should not be a barrier to participation in
634 extracurricular activities that are not offered by the student's
635 school or program.

636 (3) As used in this ~~part section~~, the term:

637 (a) "Extracurricular activity" means a any school-
638 authorized or education-related activity occurring during or
639 outside the regular instructional school day.

640 (b) "Home education cooperative" means a parent-directed
641 group of individual home education students which provides
642 opportunities for interscholastic competition to those students.

643 (c) "Impermissible benefit" means a benefit or promise of
644 benefit that is based in any way on athletic interest,
645 potential, or performance, that is a benefit not generally
646 available to the school's students or their family members, and
647 that induces a student athlete to participate in the athletic
648 programs of a member school. The term does not include



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649 transportation arrangements.

650 (d) "Nonprofit association" means the nonprofit association
651 that governs interscholastic athletic competition in this state
652 pursuant to s. 1006.20.

653 (e) "Public school student" means a student who is
654 attending a traditional public school, charter school, magnet
655 school, alternative school, developmental research laboratory
656 school, other public school of choice, or public virtual school.

657 (f) "Recruiting" means an effort by a school employee or
658 athletic department staff member to pressure, urge, or entice a
659 student to attend that school for the purpose of participating
660 in interscholastic athletics.

661 (g) "Unaffiliated private school" means a private school
662 that has an enrollment of 125 or fewer students in grades 6
663 through 12 and that is not a member of the nonprofit
664 association.

665 (4)(3)(a) A student is ~~To be~~ eligible to participate in
666 interscholastic extracurricular ~~student~~ activities if the, a
667 student ~~must~~:

668 1. Maintains ~~Maintain~~ a grade point average of 2.0 or above
669 on a 4.0 scale, or its equivalent, in the previous semester ~~or a~~
670 ~~cumulative grade point average of 2.0 or above on a 4.0 scale,~~
671 ~~or its equivalent, in the courses required by s. 1002.3105(5) or~~
672 ~~s. 1003.4282.~~

673 2. Executes ~~Execute~~ and fulfills ~~fulfill~~ the requirements
674 of an academic performance contract between the student, the
675 district school board or private school, the appropriate
676 governing association, and the student's parents, if the
677 student's cumulative grade point average falls below 2.0, or its



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678 equivalent, on a 4.0 scale ~~in the courses required by s.~~
679 ~~1002.3105(5) or s. 1003.4282~~. At a minimum, the contract must
680 require that the student attend summer school, or its graded
681 equivalent, between grades 9 and 10 or grades 10 and 11, as
682 necessary.

683 3. Has ~~Have~~ a cumulative grade point average of 2.0 or
684 above on a 4.0 scale, or its equivalent, ~~in the courses required~~
685 ~~by s. 1002.3105(5) or s. 1003.4282~~ during his or her junior or
686 senior year.

687 4. Maintains ~~Maintain~~ satisfactory conduct as prescribed by
688 the district school board's or private school's code, ~~including~~
689 ~~adherence to appropriate dress and other codes~~ of student
690 ~~conduct policies described in s. 1006.07(2)~~. If a student is
691 convicted of, or is found to have committed, a felony or a
692 delinquent act that would have been a felony if committed by an
693 adult, regardless of whether adjudication is withheld, the
694 student's participation in ~~interscholastic~~ extracurricular
695 activities is contingent upon established and published district
696 school board or private school policy.

697 5. Is a home education student who meets the requirements
698 of the home education program pursuant to s. 1002.41, including
699 requirements relating to annual educational evaluations. The
700 evaluation processes or requirements placed on home education
701 student participants may not exceed those that apply under s.
702 1002.41 to home education students generally.

703 (b)1. A student may be declared ineligible to participate
704 in interscholastic athletics only if:

705 a. The student fails to achieve compliance with paragraph
706 (a);



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707 b. The student or parent falsifies an enrollment or
708 eligibility document;

709 c. The student or parent accepts an impermissible benefit;

710 d. The student commits a flagrant act of unsportsmanlike
711 conduct toward a contest official, opponent, or other person
712 attending an athletic contest or violates substance abuse
713 policies established by the nonprofit association;

714 e. The student has exhausted 4 years of athletic
715 eligibility, graduated from high school, or attained the maximum
716 age established by the nonprofit association, whichever occurs
717 first;

718 f. The student does not pass a medical evaluation pursuant
719 to s. 1006.20(2)(c), except as otherwise provided in s.
720 1006.20(2)(d); or

721 g. The student forfeits his or her amateur status, as
722 defined by the nonprofit association.

723 2. A student may not be declared ineligible to participate
724 in interscholastic athletics based upon a violation of the
725 FHSAA's recruitment policy or otherwise because the student
726 participated on a nonschool team or nonschool team affiliated
727 with the school in which the student ultimately enrolls; or the
728 student participated in nonschool athletic activities sponsored
729 by a member school of the nonprofit association if, after
730 participating, the student registers for, enrolls in, or applies
731 to attend the sponsoring school. As used in this subparagraph,
732 the terms "nonschool team" and "nonschool athletic activities"
733 include, but are not limited to, club teams, travel teams, grade
734 school teams, recreational league teams, personal instruction
735 sessions, summer camp teams, and summer camp nonschool athletic



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736 programs.

737 (c)1. ~~(b)~~ A ~~Any~~ student who is exempt from attending a full
738 school day based on rules adopted by the district school board
739 for double session schools or programs, experimental schools, or
740 schools operating under emergency conditions must maintain the
741 grade point average required by this section and pass each class
742 for which he or she is enrolled.

743 2. A student who transfers from a home education program to
744 a public or private school before or during the first semester
745 of the school year is academically eligible to participate in
746 extracurricular activities during the first semester if the
747 student has a successful evaluation from the previous school
748 year pursuant to subparagraph (a)5.

749 3. A public school or private school student who transfers
750 into a home education program after being declared ineligible
751 for participation in extracurricular activities pursuant to
752 subparagraph (b)1. is ineligible to participate in such
753 activities as a home education student until the student has
754 successfully completed one semester in a home education program
755 pursuant to s. 1002.41.

756 4. A public school student who transfers to a private
757 school or another public school, or a private school student who
758 transfers to a public school or another private school, after
759 being declared ineligible to participate in extracurricular
760 activities pursuant to subparagraph (b)1. is ineligible to
761 participate in such activities until the student has
762 successfully completed one semester at the school to which he or
763 she transfers and meets the requirements of paragraph (a).

764 (d) ~~(e)~~ A public school student, a student attending an



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765 unaffiliated private school, or a ~~An individual~~ home education
766 student is eligible to participate in an extracurricular
767 activity that is not offered by the student's school or home
768 education program. Participation may occur at any ~~the~~ public
769 school in the school district in which the student resides ~~to~~
770 ~~which the student would be assigned according to district school~~
771 ~~board attendance area policies or a~~ public school in another
772 school district which the student could choose to attend
773 pursuant to an ~~district or~~ interdistrict controlled open
774 enrollment policy. A home education student ~~provisions, or~~ may
775 also develop an agreement to participate at a private school, ~~in~~
776 the interscholastic or extracurricular activities of that
777 school. In order to participate under this paragraph, a student
778 must meet, ~~provided~~ the following conditions are met:

779 1. ~~The home education student must meet the requirements of~~
780 ~~the home education program pursuant to s. 1002.41.~~

781 2. ~~During the period of participation at a school, the home~~
782 ~~education student must demonstrate educational progress as~~
783 ~~required in paragraph (b) in all subjects taken in the home~~
784 ~~education program by a method of evaluation agreed upon by the~~
785 ~~parent and the school principal which may include: review of the~~
786 ~~student's work by a certified teacher chosen by the parent;~~
787 ~~grades earned through correspondence; grades earned in courses~~
788 ~~taken at a Florida College System institution, university, or~~
789 ~~trade school; standardized test scores above the 35th~~
790 ~~percentile; or any other method designated in s. 1002.41.~~

791 3. ~~The home education student must meet the same residency~~
792 ~~requirements as other students in the school at which he or she~~
793 ~~participates.~~



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794 1.4. The ~~home education~~ student must meet the same
795 standards of acceptance, behavior, and performance as required
796 of other students in extracurricular activities.

797 2.5. The student must register with the school his or her
798 intent to participate in ~~interscholastic~~ extracurricular
799 activities as a representative of the school before the
800 beginning date of the nonathletic activity or season for the
801 athletic activity in which he or she wishes to participate. A
802 ~~home education~~ student must be able to participate in curricular
803 activities if that is a requirement for an extracurricular
804 activity.

805 3. A student who is enrolled in an unaffiliated private
806 school, a home education program, a full-time public virtual
807 school, or any public school that does not offer any
808 interscholastic athletic programs may only participate in
809 interscholastic athletics at the public school in which the
810 student is first registered.

811 4. The student's parent is responsible for transporting the
812 student to and from the school at which the student
813 participates. The school the student attends, the school at
814 which the student participates in the extracurricular activity,
815 the district school board, and the nonprofit association are
816 exempt from civil liability arising from any injury to the
817 student which occurs during such transportation.

818 ~~6.~~ A student who transfers from a home education program to
819 a public school before or during the first grading period of the
820 school year is academically eligible to participate in
821 interscholastic extracurricular activities during the first
822 grading period provided the student has a successful evaluation



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823 ~~from the previous school year, pursuant to subparagraph 2.~~

824 ~~7. Any public school or private school student who has been~~
825 ~~unable to maintain academic eligibility for participation in~~
826 ~~interscholastic extracurricular activities is ineligible to~~
827 ~~participate in such activities as a home education student until~~
828 ~~the student has successfully completed one grading period in~~
829 ~~home education pursuant to subparagraph 2. to become eligible to~~
830 ~~participate as a home education student.~~

831 ~~(d) An individual charter school student pursuant to s.~~
832 ~~1002.33 is eligible to participate at the public school to which~~
833 ~~the student would be assigned according to district school board~~
834 ~~attendance area policies or which the student could choose to~~
835 ~~attend, pursuant to district or interdistrict controlled open-~~
836 ~~enrollment provisions, in any interscholastic extracurricular~~
837 ~~activity of that school, unless such activity is provided by the~~
838 ~~student's charter school, if the following conditions are met:~~

839 ~~1. The charter school student must meet the requirements of~~
840 ~~the charter school education program as determined by the~~
841 ~~charter school governing board.~~

842 ~~2. During the period of participation at a school, the~~
843 ~~charter school student must demonstrate educational progress as~~
844 ~~required in paragraph (b).~~

845 ~~3. The charter school student must meet the same residency~~
846 ~~requirements as other students in the school at which he or she~~
847 ~~participates.~~

848 ~~4. The charter school student must meet the same standards~~
849 ~~of acceptance, behavior, and performance that are required of~~
850 ~~other students in extracurricular activities.~~

851 ~~5. The charter school student must register with the school~~



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852 ~~his or her intent to participate in interscholastic~~
853 ~~extracurricular activities as a representative of the school~~
854 ~~before the beginning date of the season for the activity in~~
855 ~~which he or she wishes to participate. A charter school student~~
856 ~~must be able to participate in curricular activities if that is~~
857 ~~a requirement for an extracurricular activity.~~

858 ~~6. A student who transfers from a charter school program to~~
859 ~~a traditional public school before or during the first grading~~
860 ~~period of the school year is academically eligible to~~
861 ~~participate in interscholastic extracurricular activities during~~
862 ~~the first grading period if the student has a successful~~
863 ~~evaluation from the previous school year, pursuant to~~
864 ~~subparagraph 2.~~

865 ~~7. Any public school or private school student who has been~~
866 ~~unable to maintain academic eligibility for participation in~~
867 ~~interscholastic extracurricular activities is ineligible to~~
868 ~~participate in such activities as a charter school student until~~
869 ~~the student has successfully completed one grading period in a~~
870 ~~charter school pursuant to subparagraph 2. to become eligible to~~
871 ~~participate as a charter school student.~~

872 ~~(c) A student of the Florida Virtual School full-time~~
873 ~~program may participate in any interscholastic extracurricular~~
874 ~~activity at the public school to which the student would be~~
875 ~~assigned according to district school board attendance area~~
876 ~~policies or which the student could choose to attend, pursuant~~
877 ~~to district or interdistrict controlled open enrollment~~
878 ~~policies, if the student:~~

879 ~~1. During the period of participation in the~~
880 ~~interscholastic extracurricular activity, meets the requirements~~



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881 ~~in paragraph (a).~~

882 ~~2. Meets any additional requirements as determined by the~~
883 ~~board of trustees of the Florida Virtual School.~~

884 ~~3. Meets the same residency requirements as other students~~
885 ~~in the school at which he or she participates.~~

886 ~~4. Meets the same standards of acceptance, behavior, and~~
887 ~~performance that are required of other students in~~
888 ~~extracurricular activities.~~

889 ~~5. Registers his or her intent to participate in~~
890 ~~interscholastic extracurricular activities with the school~~
891 ~~before the beginning date of the season for the activity in~~
892 ~~which he or she wishes to participate. A Florida Virtual School~~
893 ~~student must be able to participate in curricular activities if~~
894 ~~that is a requirement for an extracurricular activity.~~

895 ~~(f) A student who transfers from the Florida Virtual School~~
896 ~~full-time program to a traditional public school before or~~
897 ~~during the first grading period of the school year is~~
898 ~~academically eligible to participate in interscholastic~~
899 ~~extracurricular activities during the first grading period if~~
900 ~~the student has a successful evaluation from the previous school~~
901 ~~year pursuant to paragraph (a).~~

902 ~~(g) A public school or private school student who has been~~
903 ~~unable to maintain academic eligibility for participation in~~
904 ~~interscholastic extracurricular activities is ineligible to~~
905 ~~participate in such activities as a Florida Virtual School~~
906 ~~student until the student successfully completes one grading~~
907 ~~period in the Florida Virtual School pursuant to paragraph (a).~~

908 ~~(5)(4)~~ The student standards for participation in
909 interscholastic extracurricular activities must be applied



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910 beginning with the student's first semester of the 9th grade.
911 Each student must meet such other requirements for participation
912 as may be established by the district school board; however,
913 such requirements must apply on an equal basis to all students
914 and a district school board may not make establish requirements
915 for participation in interscholastic extracurricular activities
916 which make participation in such activities less accessible to a
917 transfer student or a student enrolled in a public school of
918 choice, an unaffiliated private school, or a home education
919 program students than to other students. A district school board
920 or private school may not establish policies regarding transfer
921 student eligibility for extracurricular activities which are
922 more stringent than the policies established by the nonprofit
923 association ~~Except as set forth in paragraph (3)(c), evaluation~~
924 ~~processes or requirements that are placed on home education~~
925 ~~student participants may not go beyond those that apply under s.~~
926 ~~1002.41 to home education students generally.~~

927 ~~(6)-(5)~~ An ~~Any~~ organization or entity that regulates or
928 governs interscholastic extracurricular activities of public
929 schools:

930 (a) Shall permit home education associations or home
931 education cooperatives to join as member schools.

932 (b) Shall not discriminate against any eligible student
933 based on an educational choice of public, private, or home
934 education.

935 ~~(7)-(6)~~ Public schools are prohibited from membership in any
936 organization or entity that ~~which~~ regulates or governs
937 interscholastic extracurricular activities and discriminates
938 against eligible students in public, private, or home education.



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939 ~~(7) Any insurance provided by district school boards for~~
940 ~~participants in extracurricular activities shall cover the~~
941 ~~participating home education student. If there is an additional~~
942 ~~premium for such coverage, the participating home education~~
943 ~~student shall pay the premium.~~

944 ~~(8) (a) The Florida High School Athletic Association~~
945 ~~(FHSAA), in cooperation with each district school board, shall~~
946 ~~facilitate a program in which a middle school or high school~~
947 ~~student who attends a private school shall be eligible to~~
948 ~~participate in an interscholastic or intrascholastic sport at a~~
949 ~~public high school, a public middle school, or a 6-12 public~~
950 ~~school that is zoned for the physical address at which the~~
951 ~~student resides if:~~

952 ~~1. The private school in which the student is enrolled is~~
953 ~~not a member of the FHSAA and does not offer an interscholastic~~
954 ~~or intrascholastic athletic program.~~

955 ~~2. The private school student meets the guidelines for the~~
956 ~~conduct of the program established by the FHSAA's board of~~
957 ~~directors and the district school board. At a minimum, such~~
958 ~~guidelines shall provide:~~

959 ~~a. A deadline for each sport by which the private school~~
960 ~~student's parents must register with the public school in~~
961 ~~writing their intent for their child to participate at that~~
962 ~~school in the sport.~~

963 ~~b. Requirements for a private school student to~~
964 ~~participate, including, but not limited to, meeting the same~~
965 ~~standards of eligibility, acceptance, behavior, educational~~
966 ~~progress, and performance which apply to other students~~
967 ~~participating in interscholastic or intrascholastic sports at a~~



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968 ~~public school or FHSAA member private school.~~

969 ~~(b) The parents of a private school student participating~~
970 ~~in a public school sport under this subsection are responsible~~
971 ~~for transporting their child to and from the public school at~~
972 ~~which the student participates. The private school the student~~
973 ~~attends, the public school at which the student participates in~~
974 ~~a sport, the district school board, and the FHSAA are exempt~~
975 ~~from civil liability arising from any injury that occurs to the~~
976 ~~student during such transportation.~~

977 ~~(c) For each academic year, a private school student may~~
978 ~~only participate at the public school in which the student is~~
979 ~~first registered under sub-subparagraph (a)2.a. or makes himself~~
980 ~~or herself a candidate for an athletic team by engaging in a~~
981 ~~practice.~~

982 ~~(d) The athletic director of each participating FHSAA~~
983 ~~member public school shall maintain the student records~~
984 ~~necessary for eligibility, compliance, and participation in the~~
985 ~~program.~~

986 ~~(e) Any non-FHSAA member private school that has a student~~
987 ~~who wishes to participate in this program must make all student~~
988 ~~records, including, but not limited to, academic, financial,~~
989 ~~disciplinary, and attendance records, available upon request of~~
990 ~~the FHSAA.~~

991 ~~(f) A student must apply to participate in this program~~
992 ~~through the FHSAA program application process.~~

993 ~~(g) Only students who are enrolled in non-FHSAA member~~
994 ~~private schools consisting of 125 students or fewer are eligible~~
995 ~~to participate in the program in any given academic year.~~

996 Section 3. Section 1006.16, Florida Statutes, is amended to



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997 read:

998 1006.16 Insuring school students engaged in extracurricular
999 ~~athletic~~ activities against injury. ~~A Any~~ district school board,
1000 school athletic association, or school may formulate, conduct,
1001 and purchase a plan or method of insuring, or may self-insure,
1002 participants in extracurricular activities ~~school students~~
1003 against injury sustained by reason of such participation
1004 ~~students engaging and participating~~ in the extracurricular
1005 ~~athletic~~ activities conducted or sponsored by the district
1006 school board, association, or school ~~in which such students are~~
1007 ~~enrolled~~. A district school board, school athletic association,
1008 or school may add a surcharge to the fee charged for admission
1009 to athletic events as a means of producing revenue to purchase
1010 such insurance or to provide self-insurance. ~~A Any~~ district
1011 school board may pay for all or part of such plan or method of
1012 insurance or self-insurance from available district school board
1013 funds. Insurance provided by a district school board for
1014 participants in extracurricular activities must cover home
1015 education and unaffiliated private school students participating
1016 in extracurricular activities at a district public school
1017 pursuant to s. 1006.15 under the same terms and conditions that
1018 apply to students enrolled in a district public school.

1019 Section 4. Subsection (1) of section 1006.19, Florida
1020 Statutes, is amended to read:

1021 1006.19 Audit of records of nonprofit ~~corporations and~~
1022 associations handling interscholastic activities.—

1023 (1) Each nonprofit association ~~or corporation~~ that operates
1024 for the purpose of supervising and controlling interscholastic
1025 activities of public high schools and whose membership is



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1026 composed of duly certified representatives of public high
1027 schools, ~~and whose rules and regulations are established by~~
1028 ~~members thereof,~~ shall have an annual financial audit of its
1029 accounts and records conducted by an independent certified
1030 public accountant retained by it and paid from its funds. The
1031 accountant shall furnish a copy of the audit report to the
1032 Auditor General within 30 days after completion of the audit. At
1033 least every 3 years, the Auditor General shall conduct an
1034 operational audit of the accounts and records of each nonprofit
1035 association.

1036 Section 5. Subsections (17) and (18) of section 1002.20,
1037 Florida Statutes, are amended to read:

1038 1002.20 K-12 student and parent rights.—Parents of public
1039 school students must receive accurate and timely information
1040 regarding their child's academic progress and must be informed
1041 of ways they can help their child to succeed in school. K-12
1042 students and their parents are afforded numerous statutory
1043 rights including, but not limited to, the following:

1044 (17) ATHLETICS; PUBLIC HIGH SCHOOL.—

1045 (a) *Eligibility.*—Eligibility requirements for all students
1046 participating in high school athletic competition must allow a
1047 student to be eligible in the school in which he or she first
1048 enrolls each school year, the school in which the student makes
1049 himself or herself a candidate for an athletic team by engaging
1050 in practice before enrolling, or the school to which the student
1051 has transferred with approval of the district school board, in
1052 accordance with s. 1006.20 ~~the provisions of s. 1006.20(2)(a).~~

1053 (b) *Medical evaluation.*—Students must satisfactorily pass a
1054 medical evaluation each year before participating in athletics,



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1055 unless the parent objects in writing based on religious tenets
1056 or practices, in accordance with s. 1006.20 ~~the provisions of s.~~
1057 ~~1006.20(2)(d).~~

1058 (18) EXTRACURRICULAR ACTIVITIES.—In accordance with ~~the~~
1059 ~~provisions of s. 1006.15:~~

1060 (a) *Eligibility.*—Students who meet specified academic and
1061 conduct requirements are eligible to participate in
1062 extracurricular activities.

1063 (b) ~~*Participation Home education students.*—All public~~
1064 ~~school students, including those enrolled in public schools of~~
1065 ~~choice and virtual education, all home education students, and~~
1066 ~~certain private school students may participate in any~~
1067 ~~extracurricular activity not offered by a student's school or~~
1068 ~~home education program at any public school in the school~~
1069 ~~district in which the student resides or a public school in~~
1070 ~~another school district which the student could choose to attend~~
1071 ~~pursuant to an interdistrict controlled open enrollment policy~~
1072 ~~who meet specified academic and conduct requirements are~~
1073 ~~eligible to participate in extracurricular activities at the~~
1074 ~~public school to which the student would be assigned or could~~
1075 ~~choose to attend according to district school board policies, or~~
1076 ~~may develop an agreement to participate at a private school.~~

1077 ~~(c) *Charter school students.*—Charter school students who~~
1078 ~~meet specified academic and conduct requirements are eligible to~~
1079 ~~participate in extracurricular activities at the public school~~
1080 ~~to which the student would be assigned or could choose to attend~~
1081 ~~according to district school board policies, unless such~~
1082 ~~activity is provided by the student's charter school.~~

1083 ~~(d) *Florida Virtual School full-time students.*—Florida~~



783286

1084 ~~Virtual School full-time students who meet specified academic~~
1085 ~~and conduct requirements are eligible to participate in~~
1086 ~~extracurricular activities at the public school to which the~~
1087 ~~student would be assigned or could choose to attend according to~~
1088 ~~district school board policies.~~

1089 (c) ~~(e)~~ *Discrimination prohibited.*—Organizations that
1090 regulate or govern extracurricular activities of public schools
1091 shall not discriminate against any eligible student based on an
1092 educational choice of public, private, or home education.

1093 Section 6. Subsection (11) of section 1002.33, Florida
1094 Statutes, is amended to read:

1095 1002.33 Charter schools.—

1096 (11) PARTICIPATION IN ~~INTERSCHOLASTIC~~ EXTRACURRICULAR
1097 ACTIVITIES.—A charter school student is eligible to participate
1098 in an ~~interscholastic~~ extracurricular activity at another ~~the~~
1099 ~~public school to which the student would be otherwise assigned~~
1100 ~~to attend~~ pursuant to s. 1006.15 ~~s. 1006.15(3)(d)~~.

1101 Section 7. this act shall take effect July 1, 2015.

1102
1103 ===== T I T L E A M E N D M E N T =====

1104 And the title is amended as follows:

1105 Delete everything before the enacting clause
1106 and insert:

1107 A bill to be entitled
1108 An act relating to extracurricular activities;
1109 amending s. 1006.20, F.S.; providing for review of the
1110 FHSAA's performance of duties; providing requirements
1111 regarding fees and admission prices; revising
1112 provisions regarding eligibility and transfer;



783286

1113 providing procedures for resolving student eligibility
1114 disputes; requiring the Florida High School Athletic
1115 Association (FHSAA) to adopt guidelines, provide
1116 resources, and develop training courses relating to
1117 sports ethics; providing that member schools must meet
1118 certain requirements relating to the sports ethics
1119 guidelines, resources, and training courses provided
1120 by the FHSAA; revising the governing structure of the
1121 FHSAA; deleting provisions relating to the FHSAA's
1122 board of directors, representative assembly, public
1123 liaison advisory committee, and appeals committees;
1124 deleting requirements with respect to amendments to
1125 the FHSAA's bylaws; amending s. 1006.15, F.S.;
1126 establishing guiding principles for extracurricular
1127 activities; providing definitions; revising academic
1128 eligibility requirements; specifying grounds for
1129 student ineligibility for participation in
1130 interscholastic athletics; specifying conditions under
1131 which students who are enrolled in public schools,
1132 certain private schools, or home education programs
1133 may participate in the extracurricular activities of a
1134 public school; deleting obsolete provisions; amending
1135 s. 1006.16, F.S.; revising insurance requirements to
1136 include students who participate in nonathletic
1137 extracurricular activities; requiring that insurance
1138 coverage provided by district school boards for
1139 participants in extracurricular activities include
1140 certain students; amending s. 1006.19, F.S.; providing
1141 a period within which an audit of a nonprofit



783286

1142 association's records must be provided to the Auditor
1143 General; requiring the Auditor General to conduct
1144 operational audits of the nonprofit association's
1145 accounts and records; amending s. 1002.20, F.S.;
1146 conforming cross-references; revising provisions
1147 related to participation in extracurricular
1148 activities; amending ss. 1002.33, F.S.; conforming
1149 cross-references; providing an effective date.



425534

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/15/2015	.	
	.	
	.	
	.	

The Committee on Education Pre-K - 12 (Montford) recommended the following:

1 **Senate Substitute for Amendment (783286) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. High School Athletics Task Force.—

7 (1) There is created the High School Athletics Task Force,
8 a task force as defined in s. 20.03, Florida Statutes, within
9 the Department of Education to be staffed by the Office of
10 Program Policy Analysis and Government Accountability and



425534

11 monitored by the Department of Education. The task force shall
12 review issues concerning the governance and operation of the
13 Florida High School Athletic Association. The task force shall
14 make recommendations that allow equal access to all students to
15 athletic programs and preserve the integrity of this state's
16 interscholastic athletic programs. The recommendations of the
17 task force shall address the following:

18 (a) Defining school choice in athletic programs in
19 Florida's K-12 education institutions.

20 (b) Streamlining the existing appeals process to ensure
21 faster resolutions to appeals.

22 (c) Clarifying rules governing student transfers.

23 (d) Strengthening the association's governance structure.

24 (e) Identifying and clarifying the purpose for and
25 expenditure of dues, fees, and fines assessed by the
26 association.

27 (f) Defining the association's investigative procedures and
28 penalties.

29 (g) Strengthening communication between the association and
30 all stakeholders.

31 (h) Analyzing the implementation and impact of the
32 recommendations from the Student Athlete Recruiting Task Force
33 established in 2006 on athletics in schools and any subsequent
34 legislative or rule changes.

35 (i) Making any other recommendations that the task force
36 determines are necessary to strengthen student athletics in the
37 K-12 education system.

38 (2) The task force shall consist of 13 representatives from
39 home school and public and private secondary schools who are



425534

40 directly involved in athletics in the K-12 education system. The
41 chair of the task force shall convene meetings as needed and
42 ensure that the recommendations are completed and forwarded to
43 the Governor and the Legislature in a timely manner. The task
44 force members shall be appointed as follows:

45 (a) Four representatives appointed by the President of the
46 Senate.

47 (b) Four representatives appointed by the Speaker of the
48 House of Representatives.

49 (c) Five representatives appointed by the Governor, one of
50 whom shall be appointed chair of the task force.

51 (3) Members of the task force shall serve without
52 compensation, but are entitled to reimbursement for per diem and
53 travel expenses pursuant to s. 112.061, Florida Statutes.

54 (4) The task force shall hold its initial meeting by June
55 1, 2015, and shall submit its recommendations to the Governor,
56 the President of the Senate, and the Speaker of the House of
57 Representatives by January 1, 2016. Upon submission of the
58 report, the task force shall expire.

59 Section 2. For the 2015-2016 fiscal year, the sum of
60 \$60,000 from the General Revenue Fund is appropriated to the
61 Office of Program Policy Analysis and Government Accountability
62 to support the work of the High School Athletics Task Force.

63 Section 3. This act shall take effect upon becoming a law.

64

65 ===== T I T L E A M E N D M E N T =====

66 And the title is amended as follows:

67 Delete everything before the enacting clause
68 and insert:



425534

69 A bill to be entitled
70 An act relating to student extracurricular activities;
71 creating the High School Athletics Task Force;
72 specifying the duties and membership of the task
73 force; providing that the task force members are
74 entitled to reimbursement for per diem and travel
75 expenses; requiring the task force to submit an
76 initial report to the Governor and the Legislature by
77 a specified date; providing for expiration of the task
78 force; providing an appropriation; providing an
79 effective date.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/15/15
Meeting Date

SB 1480

Bill Number (if applicable)

783286

Amendment Barcode (if applicable)

Topic FHSAA

Name Laness Robinson

Job Title Director of Athletics, Hillsborough County Public Schools

Address 1202 E. Palm Ave Phone (813) 273-7536

Street

Tampa
City

FL
State

33605
Zip

Email laness.robinson@sdhc.fl.us

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Hillsborough County Public Schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-15-15

Meeting Date

SB 1480

Bill Number (if applicable)

783286

Amendment Barcode (if applicable)

Topic FHSAA

Name EARL GARCIA

Job Title HEAD FOOTBALL COACH

Address HILLSBOROUGH H.S.
Street

Phone 813.391.6541

TAMPA FL 33603
City State Zip

Email earl-garcia@sdhc.k12.fl.us

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing HILLSBOROUGH HIGH SCHOOL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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4/15/15

Meeting Date

SB 1480

Bill Number (if applicable)

783286

Amendment Barcode (if applicable)

Topic FHSA A

Name Nancy Hankin

Job Title Parent

Address 2307 Cardenas Avenue

Phone 813-453-1480

Street

Tampa

FL

State

33629

Zip

Email nancysmithhankine@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

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4-15-15

Meeting Date

SB1480

Bill Number (if applicable)

783286

Amendment Barcode (if applicable)

Topic FHSAA

Name Pamela Jackson-Haney

Job Title Parent

Address 3014 W Harbor View Ave

Phone (813) 760-4189

Street

Tampa

City

FL

State

33611

Zip

Email jacksonhaney@tampabay.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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4/15/15
Meeting Date

SB 1480
Bill Number (if applicable)

783286
Amendment Barcode (if applicable)

Topic FHSAA 1

Name Cary Anne Bame

Job Title student athlete

Address 4324 Harbor Ln Dr
Street

Phone 813 598 3512

Lutz FL 33558
City State Zip

Email caryanne.bame@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Self

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/15/15 Meeting Date

SB1480 Bill Number (if applicable)
783286 Amendment Barcode (if applicable)

Topic Extracurricular Activities (FHSA)

Name Natalie Strappy

Job Title Director of Compliance

Address 501 SW 75th St Unit F1

Phone (352) 359 3253

Gainesville FL 32607 City State Zip

Email nstrappy@fhsaa.org

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing FHSA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

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4/15/15

Meeting Date

SB 1480

Bill Number (if applicable)

783286

Amendment Barcode (if applicable)

Topic FHSAA

Name Jamie Rohrer

Job Title Assistant Executive Director

Address 14733 SW 159th Ave

Street

Archer

City

FL

State

32618

Zip

Phone 352-495-7326

Email jrohren@fhsaa.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FHSAA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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4/15/15

Meeting Date

SB 1480

Bill Number (if applicable)

783826

Amendment Barcode (if applicable)

Topic FMSAA

Name Doug Stephens

Job Title Teacher/coach/official

Address 290 Champion Oaks Cir

Street

City Havana State FL Zip 32333

Phone 850 766 4424

Email doug@fellowshipmidway.com

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing myself

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/15/15

Meeting Date

SB 1480

Bill Number (if applicable)

783286

Amendment Barcode (if applicable)

Topic EMSA

Name Richard Finlayson

Job Title Principal

Address 7803 Aucilla Hwy

Street

Phone _____

Monticello

City

FL

State

32344

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing SELF

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/15/15
Meeting Date

SB 1480
Bill Number (if applicable)

783286
Amendment Barcode (if applicable)

Topic FHSAA

Name Richard Finlayson

Job Title Principal

Address 7803 Aucilla Hwy
Street

Phone 850-997-3597

Monticello, FL 32344
City State Zip

Email rfinlayson@aucilla.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Aucilla Christian Academy

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/15/15
Meeting Date

SB 1480
Bill Number (if applicable)

Topic FHSAA

783286
Amendment Barcode (if applicable)

Name Sharell Yang

Job Title Coord. of Athletics & Technology

Address 1533 SE 12th Ave
Street

Phone (352) 577-5867

Gainesville FL 32641
City State Zip

Email Syoung@fhsaa.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FHSAA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/15/15
Meeting Date

SB1480

Bill Number (if applicable)

Topic EXTRACURRICULAR ACTIVITIES

Amendment Barcode (if applicable)

Name STUART WEISS

Job Title PRESIDENT

Address 506 ROYAL WOOD CT

Phone 813-681-6722

Street

VAURICO FL 33594

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing SUNSHINE STATE ATHLETIC CONFERENCE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/15/2015

SB 1480

Meeting Date

Bill Number (if applicable)

Topic Extracurricular Activity Participation

Amendment Barcode (if applicable)

Name Michael Mendez

Job Title Home School Dad

Address 8901 Winged Foot Dr

Phone 850-445-1910

Street

Tallahassee

Fl

32312

Email mmmendez@comcast.net

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Home School Families

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/15/15

Meeting Date

SB1480

Bill Number (if applicable)

Topic FASA

Amendment Barcode (if applicable)

Name Superintendent TIM Wyrosdick

Job Title Superintendent of Schools -

Address 7082 Chumuckla Hwy

Phone 850 983 5010

Street

Email Wyrosdick@santarosa.k12.fl.us

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing NA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-15-2015

Meeting Date

1480

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name BRIAN PITTS

Job Title Trustee

Address 1119 Newton Ave S

Phone 727/897-9291

Street

St Petersburg

City

FL

State

33705

Zip

Email justice2jesus@yahoo.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Justice-2-Jesus

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-15-15

Meeting Date

1480

Bill Number (if applicable)

Topic Education Bill FASAA

Amendment Barcode (if applicable)

Name Mike Hickman

Job Title Athletic Director - Florida High

Address 3000 Schoolhouse Rd.
Street

Phone 850 322-7504

Tallahassee FL 32311
City State Zip

Email mhickman@fsu.edu

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Athletic Coaches Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

4/15/15

(Meeting/Date)

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1480

Bill Number (if applicable)

Topic Athletics

Amendment Barcode (if applicable)

Name SHELTON CREWS

Job Title EXECUTIVE DIRECTOR - FLA ATHLETIC COACHES ASSOC.

Address 1832 Capital Cir NE, Suite 1

Phone 850-727-8117

Street

TALL

FL

32308

City

State

Zip

Email Sheltoncrews@yahoo.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FLA COACHES ASSOCIATION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/15/15
Meeting Date

1480
Bill Number (if applicable)

Topic Extracurricular Activities

Amendment Barcode (if applicable)

Name Ricky Bell

Job Title District Athletic Director

Address 2757 West Pensacola St

Phone 850-544-3499

Tallahassee Fla. 32304
City State Zip

Email bell@rclewschools.net

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/15/15
Meeting Date

Montford

SB 1480
Bill Number (if applicable)

425534
Amendment Barcode (if applicable)

Topic FHSA

Name Richard Finlayson

Job Title Principal

Address 7803 Aucilla Hwy

Phone _____

Street

Monticello FL 32344

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing SELF

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K - 12

BILL: CS/SB 1480

INTRODUCER: Committee on Education Pre-K - 12 and Senator Stargel

SUBJECT: Extracurricular Activities

DATE: April 17, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	ED	Fav/CS
2.			AED	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1480 affects governance structure and accountability requirements of the Florida High School Athletic Association (FHSAA), and substantially revises the student eligibility requirements.

Specifically, the bill revises the FHSAA governance structure by:

- Repealing provisions for a board of directors, representative assembly, committee on appeals, public liaison advisory committee, and bylaws.
- Revising the governance structure for equitable representation; and
- Creating membership requirements.

The bill revises FHSAA accountability requirements by:

- Requiring an operational audit by the Auditor General;
- Requiring a review by the Commissioner of Education on FHSAA's performance of duties in governing interscholastic athletics;
- Limiting ability to collect certain fees; and
- Providing an appeal process to resolve eligibility disputes.

In addition, the bill revises student eligibility by:

- Requiring the eligibility standards and requirements to apply on an equal basis for all students;
- Limiting the reasons a student may be declared ineligible for interscholastic athletics;

- Allowing students to transfer schools for academic and athletic purposes as long as eligibility and transfer requirements are met; and
- Allowing restrictions to prohibit the recruiting of students for athletic purposes.

The bill takes effect on July 1, 2015.

II. Present Situation:

Governing Nonprofit Organization

The Florida High School Athletic Association (FHSAA) is the designated governing nonprofit organization of athletics in Florida public schools in grades 6 through 12.¹ If the FHSAA fails to meet its obligations and responsibilities, the Commissioner of Education is directed to designate a nonprofit organization to manage interscholastic athletics with the approval of the State Board of Education.²

Governing Structure

The FHSAA operates as a representative democracy in which the sovereign authority is within the member schools.³ FHSAA member schools are divided along existing county lines into four administrative regions.

FHSAA's governance structure consists of a 16 member board of directors.⁴ The members of the board of directors serve terms of 3 years and are eligible to succeed themselves only once.⁵ The board is responsible for levying dues and fees, formulating administrative policies, and acting as the final decision-maker in disputes regarding student eligibility, member sanctions, and other FHSAA bylaws and policies.⁶

Bylaws

The FHSAA must adopt bylaws specifying the process and standards for eligibility determinations. The bylaws must provide the following:⁷

- Ineligibility must be established by clear and convincing evidence;
- Student athletes, parents, and schools must have notice of the initiation of any investigation or other eligibility inquiry and may present information or evidence to the investigator and to the individual making the eligibility determination;
- Eligibility determinations must be made by the executive director or designee for an unbiased and objective determination of eligibility; and

¹ Section 1006.20, F.S.

² Section 1006.20(1), F.S.

³ Section 1006.20(1), F.S.

⁴ The board is composed of four public member school representatives, four nonpublic member school representatives, three representatives appointed by the commissioner, two district school superintendents, two district school board members, the commissioner or designee. Section 1006.20(4)(a), F.S.

⁵ Members of the board of directors shall serve terms of 3 years and are eligible to succeed themselves only once. A member of the board of directors, other than the commissioner or his or her designee, may serve a maximum of 6 consecutive years. The FHSAA's bylaws shall establish a rotation of terms to ensure that a majority of the members' terms do not expire concurrently. Section 1006.20(4)(d), F.S.

⁶ Section 1006.20(4)(e), F.S.

⁷ Section 1006.20(2)(g), F.S.

- Determination of ineligibility must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based.

The law provides specific direction to FHSAA on such eligibility matters as residency, transfer, recruiting, and medical evaluations.⁸ FHSAA has discretion to adopt bylaws on eligibility, provided they do not conflict with statutory requirements.⁹

The FHSAA must adopt bylaws that establish sanctions for coaches who have committed major violations of the FHSAA's bylaws and policies.¹⁰ Major violations include, but are not limited to:¹¹

- Knowingly allowing an ineligible student to participate in a contest representing a member school in an interscholastic contest; or
- Committing a violation of the FHSAA's recruiting or sportsmanship policies.

Appeals

The FHSAA must establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete.¹² The initial appeal is made to a committee on appeals in the administrative region where the student lives.¹³ The FHSAA bylaws establish the number, size, and composition of each committee on appeals. The bylaws specify the process and standards for eligibility determinations.¹⁴

Student Participation in Extracurricular Activities

Public Student Eligibility

To be eligible for participation in interscholastic extracurricular activities, a public high school student must:¹⁵

- Maintain either a 2.0 grade point average (GPA) or above on a 4.0 scale in the semester preceding participation; or a cumulative 2.0 GPA or above in the courses required for high school graduation.
- Execute and fulfill the requirements of an academic performance contract if the student's GPA falls below 2.0 in the courses required for graduation.
- Have a cumulative GPA of 2.0 or above in the courses required for graduation in his or her junior or senior year.
- Maintain satisfactory conduct to be eligible to participate in interscholastic extracurricular activities.

Home Education Student Eligibility

A home education student may participate in any sport at any public high school for which the student is zoned or could attend through district or interdistrict controlled open enrollment

⁸ Section 1006.20(2)(c), F.S.

⁹ Section 1006.20(1) and (2)(a)-(c), F.S.

¹⁰ Section 1006.20(2)(f), F.S.

¹¹ *Id.*

¹² Section 1006.20(7), F.S.

¹³ *Id.*

¹⁴ Bylaw 10.4.1, FHSAA

¹⁵ Section 1006.15(3), F.S.

provisions.¹⁶ A home education student may also develop an agreement to participate at a private school.¹⁷ The student must demonstrate educational progress during the period of participation in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal.¹⁸

Charter School Student Eligibility

A charter school student may participate in any sport that is not offered by the charter school, at any public high school for which the student is assigned according to district school board attendance policies or which the student could choose to attend through district or interdistrict controlled open enrollment provisions.¹⁹

Virtual School Student Eligibility

A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school in which the student would be assigned according to district policy or where the student could attend according to controlled open enrollment policies.²⁰

Private School Student Eligibility

A student attending a private middle school or high school may participate in interscholastic or intrascholastic sports at a public school that is zoned for the physical address at which the student resides if the private school where the student is enrolled is not a member of the FHSAA and does not offer an interscholastic or intrascholastic athletic program.²¹

A private school student may only participate at the public school in which the student first registers or is a candidate for participation by engaging in a practice.²²

Only students attending a FHSAA nonmember private school with enrollment of 125 or fewer students may participate in a public school athletic program.²³

The parents of a private school student who participates in athletics at a public school are responsible for transporting the student to and from the public school.²⁴ The student's private school, the public school where the student participates in athletics, the district school board, and the FHSAA are exempt from liability arising from any injury that occurs during such transportation.²⁵

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Section 1006.15(3)(d), F.S.

²⁰ Section 1006.15(2), F.S.

²¹ Section 1006.15(8), F.S.

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

Student Ineligibility

A student may only be declared ineligible based upon violation of recruiting rules if the student or parent has:²⁶

- Falsified any enrollment or eligibility document; or
- Accepted an impermissible benefit, i.e., any benefit or promise not generally available to the school's students or family members or is based in any way on athletic interest, potential, or performance.

The FHSAA is required to adopt bylaws to prohibit the recruitment of students for athletic purposes.²⁷ The bylaws may not:²⁸

- Limit the competition of student athletes for rule violations of their adult representatives, their school, or the school's coaches.
- Unfairly punish students for eligibility or recruiting violations perpetrated by a teammate, coach, or administrator.
- Forfeit contests for inadvertent eligibility violations due to the actions of a coach or a school administrator.
- Forfeit contests for other eligibility violations or recruiting violations in excess of the number of contests that the coaches and adult representatives responsible for the violations are prospectively suspended.

Location of Student Eligibility

A student may participate in interscholastic athletics at the school in which he or she first enrolls each school year or, at the school in which the student becomes a candidate for an athletic team by engaging in a practice prior to enrolling in the school.²⁹

The FHSAA is required to adopt bylaws for transfer eligibility requirements, unless otherwise specifically provided by statute.³⁰ The bylaws also allow the student to be eligible in the school where the student has transferred during the school year if the transfer is made by deadlines established by the FHSAA, which may not be prior to the date authorized for the beginning of practice for the sport.³¹ Transfers will be allowed pursuant to the district school board policies.³²

Insurance

Any insurance provided by district school boards for participants in extracurricular activities will cover the participating home education student.³³ If there is an additional premium for such coverage, the participating home education student shall pay the premium.³⁴

²⁶ Section 1006.20(2), F.S.; bylaw 9.1.2.3, FHSAA.

²⁷ Section 1006.20(2), F.S.

²⁸ *Id.*

²⁹ Section 1006.20(2)(a), F.S.

³⁰ Section 1006.20(2), F.S.

³¹ Section 1006.20(2), F.S.; bylaw 9.3, FHSAA.

³² Section 1006.20(2), F.S.

³³ Section 1006.15(7), F.S.

³⁴ *Id.*

III. Effect of Proposed Changes:

CS/SB 1480 affects governance structure and accountability requirements of the Florida High School Athletic Association (FHSAA), and substantially revises the student eligibility requirements.

Specifically, the bill revises the FHSAA governance structure by:

- Repealing provisions for a board of directors, representative assembly, committee on appeals, public liaison advisory committee, and bylaws.
- Revising the governance structure for equitable representation; and
- Creating membership requirements.

The bill revises FHSAA accountability requirements by:

- Requiring an operational audit by the Auditor General;
- Requiring a review by the Commissioner of Education on FHSAA's performance of duties in governing interscholastic athletics;
- Limiting ability to collect certain fees; and
- Providing an appeal process to resolve eligibility disputes.

In addition, the bill revises student eligibility by:

- Requiring the eligibility standards and requirements to apply on an equal basis for all students;
- Limiting the reasons a student may be declared ineligible for interscholastic athletics;
- Allowing students to transfer schools for academic and athletic purposes as long as eligibility and transfer requirements are met; and
- Allowing restrictions to prohibit the recruiting of students for athletic purposes.

Governing Nonprofit Association

Governing Structure

The bill repeals statutory provisions requiring the FHSAA to have a board of directors, representative assembly, committee on appeals, a public liaison advisory committee, and bylaws.

The bill establishes a 16 member governing board comprised proportionately of representatives from:

- Traditional public schools;
- Public schools of choice;
- Private schools;
- Home education cooperatives;³⁵ and
- Parents of student athletes who are enrolled in such schools or programs.

³⁵ The bill creates and defines a "home education cooperative" as a parent-directed group of individual home education students which provides opportunities for interscholastic athletic competition to those students.

The board's membership must be equitably drawn from the various regions of the state where the association's member schools are located. Each member of the governing board must attend nonprofit governance training, which must include:

- Government in the sunshine;
- Conflicts of interest;
- Ethics; and
- Student athlete-centered decision making consistent with the guiding principles for participation in extracurricular activities.

Membership

The bill:

- Authorizes any high school in the state,³⁶ to join the FHSAA as a full-time member or to participate on a per sport basis;
- Allows a school the option to join other organizations for some sports, while maintaining membership in FHSAA for others;
- Requires the FHSAA to adopt guidelines, provide resources, and develop sports ethics training courses by an established deadline; and
- Allows for home education cooperatives to join as member schools.

Accountability

The bill requires:

- Annual operational audit of each nonprofit association, and the Auditor General to conduct an operational audit at least every 3 years.
- Commissioner of Education to review the nonprofit association's performance of duties each year through an operational audit.
- Nonprofit association designated by the commissioner to be the state's governing body for the purposes of membership in the National Federation of State High School Associations and the commissioner, with the approval of the State Board of Education, to identify another nonprofit association to govern interscholastic athletic competition if the FHSAA fails to meet the provisions of law.
- Any special event fees, sanctioning fees, including third party sanctioning fees, or contest receipts collected annually, may not exceed the actual costs to perform the function or duty of the nonprofit association which is the subject or justification for the fees.
- The FHSAA to offer spectators at an event the option of purchasing a single-day pass or multiple-day pass.

Appeals

The bill repeals the current appeal process and creates a new process which allows for eligibility issues to be resolved through an informal conference procedure. The conference must be held within 10 days after receipt of the student's request, and if the dispute is not resolved, the FHSAA must provide for a neutral third party review within 30 days. All eligibility proceedings must be conducted in the county where the student resides. A student athlete may not be declared ineligible to participate until a final decision is issued by the neutral third party.

³⁶ Any high school in the state may join FHSAA, including private schools, traditional public schools, charter schools, virtual schools, and home education cooperatives.

Student Participation in Extracurricular Activities

Student Eligibility

The bill requires the eligibility standards and requirements to apply on an equal basis for all students, including public school³⁷ or certain private school students, and may not make participation less accessible to a student enrolled in a public school of choice, an unaffiliated private school,³⁸ or a home education program.

The bill:

- Clarifies that a home education student is academically eligible to participate in extracurricular activities if he or she has a satisfactory evaluation conducted according to the home education requirements.
- Prohibits a district school board or private school from establishing policies regarding transfer student eligibility for extracurricular activities which are more stringent than the policies established by the governing nonprofit association.

Student Ineligibility

The bill limits the grounds for declaring a student ineligible to participate to:

- Failing to meet academic and conduct requirements;
- Falsifying enrollment or eligibility documents;
- Accepting of an impermissible benefit by the student or parent;
- Committing a flagrant act of unsportsmanlike conduct;
- Exhausting 4 years of athletic eligibility;
- Failing to pass a required medical exam;
- Forfeiting amateur status; or
- Failing to meet transfer requirements.

The bill prohibits the recruiting of a student for athletic purposes and the FHSAA has imposed sanctions against the individuals or member schools engaging in recruiting. The FHSAA may not punish a student athlete for an eligibility or recruiting violation perpetrated by a teammate, coach, or administrator.

Location of Student Eligibility

The bill provides for a student who is eligible in the school in which he or she first enrolls each school year to make himself a candidate for an athletic team by engaging in a practice before enrolling in the school.

The bill allows a public school student, a student attending an unaffiliated private school, or a home education student to participate in an extracurricular activity that is not offered by the student's school or home education program. Participation may occur at any public school in the

³⁷ The bill defines "public school student" to mean a student who is attending a traditional public school, charter school, magnet school, alternative school, developmental research laboratory school, other public school of choice, or public virtual school.

³⁸ The bill defines "unaffiliated private school" to mean a private school that has an enrollment of 125 or fewer students in grades 6-12 and that is not a member of the nonprofit association.

school district in which the student resides or a public school in another school district which the student could choose to attend pursuant to an interdistrict controlled open enrollment policy. A home education student may also develop an agreement to participate at a private school.

However, a student who is enrolled in an unaffiliated private school, home education program, a full-time public virtual school, or any public school that does not offer any interscholastic programs may only participate in interscholastic athletics at the public school in which the student is first registered.

The bill provides the following transfer requirements:

- A student who transfers from a home education program to a public or private school before or during the first semester of the school year is academically eligible to participate in extracurricular activities during the first semester if the student has a successful evaluation from the previous school year.
- A public school or private school student who transfers into a home education program after being declared ineligible for participation in extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one semester in a home education program.
- A public school student who transfers to a private school or another public school, or a private school student who transfers to a public school or another private school, after being declared ineligible to participate in extracurricular activities for certain grounds is ineligible to participate in such activities until the student has successfully completed one semester at the school to which he or she transfers and meets additional requirements.

Insurance

The bill requires insurance provisions to be added by a district school board for unaffiliated private school students who participate in extracurricular activities at the district public school under the same terms and conditions that apply to students enrolled in a district public school.

The bill takes effect on July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The bill prohibits any special event fees, sanctioning fees, including third party sanctioning fees, or contest receipts collected annually, to exceed the actual costs to perform the function or duty of the nonprofit association which is the subject or justification for the fees.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.20, 1006.15, 1006.16, 1006.19, 1006.20, and 1002.33.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K – 12 on April 15, 2015:

- Deletes the requirement in the bill for the Commissioner of Education to designate a nonprofit association to govern athletics with the approval of the State Board of Education, and the effective date of July 1, 2017.
- Retains designation in current law, Florida High School Athletic Association (FHSAA) as the governing nonprofit association for interscholastic athletics.
- Repeals the FHSAA's board of directors, representative assembly, committee on appeals, and bylaws, and instead, utilizes a governing board comprised of 16 members.
- Repeals student eligibility dispute procedures and changes the process to require the FHSAA to provide an opportunity to resolve eligibility disputes through an informal conference procedure, for review by a neutral third party, if needed.
- Expands criteria in statute for a student to be determined ineligible, including, but not limited to, flagrant act of unsportsmanlike conduct, violates substance abuse policies,

exhausted 4 years of athletic eligibility, graduated from high school, or attained maximum age.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

CourtSmart Tag Report

Room: KN 412

Case:

Type:

Caption: Senate Committee on Education Pre-K-12

Judge:

Started: 4/15/2015 5:02:48 PM

Ends: 4/15/2015 6:00:15 PM

Length: 00:57:28

5:02:49 PM Meeting called to order by Chairman Legg
5:03:03 PM Roll Call - Quorum is present
5:03:20 PM Chair
5:03:39 PM Tab 1 - SB 180 by Sen. Evers - TP'd
5:03:54 PM Tab 2 - SB 1480 by Sen. Stargel
5:06:16 PM Chair
5:06:20 PM Sen. Stargel
5:07:09 PM Chair
5:07:26 PM Sen. Montford
5:08:46 PM Chair
5:08:56 PM Late filed #783286 Strike All Amendment - By Sen. Benacquisto, Courtesy for Sen. Galvano and Sen. Stargel
5:09:30 PM Sen. Stargel on the amendment
5:12:46 PM Chair
5:12:54 PM Sen. Montford
5:13:16 PM Chair
5:13:22 PM Sen. Montford
5:14:40 PM Sen. Stargel
5:15:01 PM Sen. Montford
5:17:29 PM Sen. Stargel
5:17:41 PM Sen. Montford
5:19:09 PM Sen. Stargel
5:20:01 PM Sen. Montford
5:20:12 PM Sen. Stargel
5:20:51 PM Chair
5:20:52 PM Sen. Gaetz
5:22:18 PM Sen. Stargel
5:23:30 PM Chair
5:23:37 PM Sen. Montford
5:25:56 PM Sen. Stargel
5:27:12 PM Sen. Montford
5:27:28 PM Sen. Montford
5:29:06 PM Sen. Stargel
5:32:04 PM Chair
5:32:30 PM Lanness Robinson, Director of Athletics, Hillsborough County Public Schools, speak in opposition to amendment
5:34:52 PM Earl Garcia, Head Football Coach, Hillsborough High School, speak against amendment
5:36:10 PM Nancy Hankin, Parent, Tampa, FL - speak against amendment
5:37:09 PM Pamela Jackey-Haney, Parent, Tampa, FL., speak against amendment
5:39:59 PM Carey Anne Bame, Student, Lutz, FL, speak against amendment
5:42:52 PM Natalie Strappy, Director of Compliance, FHSAA, Gainesville, FL, speaking for the amendment
5:46:02 PM Chair, to speak against amendment, Jamie Rohrer, Ass. Exec. Director, FHSAA, Archer, FL; Doug Stephens, teacher/coach/official, Havana, FL; Richard Finlayson, Principal, Aucilla Christian, Monticello; Shannell Young, Cord. of Athletics & Technology, FHSAA, Gainesville;
5:46:48 PM Chair
5:47:01 PM Sen. Montford's amendment WD
5:47:03 PM Chair - without objection show Sen. Montford amendment # 425584 withdrawn
5:47:08 PM Back on main amendment
5:47:12 PM Chair - Amendment #783286 adopted without objection
5:47:16 PM Chair - back on the bill as amended
5:47:24 PM Sen. Galvano, motion to limit debate until 5:59 p.m.
5:47:38 PM Chair, objection to motion. No objections, show it adopted

5:47:45 PM Chair - speakers to speak on the bill - Stuart Weiss, President, Sunshine State Athletic Conference, Valrico, FL; Michael Mendez, home school dad, Tallahassee; Tim Wyrosdick. Speaking against the bill, Superintendent of Schools, Santa Rosa. For information only, Brian Pitts, Justice-2-Jesus, St. Pete. To speak against the bill, Mike Hickman, Athletic Director, Florida High, Tallahassee; Shelton Crews, ED, Fla. Athletic Coaches Assn., Tallahassee; Rickey Bell, District Athletic Director, Tallahassee.

5:48:26 PM Sen. Detert in debate

5:51:18 PM Chair

5:51:20 PM Sen.Brandes

5:52:08 PM Chair

5:52:10 PM Sen.Gaetz

5:53:57 PM Chair

5:53:58 PM Sen. Montford

5:58:10 PM Chair

5:58:54 PM Sen. Stargel

5:59:26 PM Roll Call on SB 1480 - Favorable 6/5

5:59:58 PM Chair - CS/SB 1480

6:00:04 PM Sen. Brandes moves to rise