

THE FLORIDA SENATE  
2026 SUMMARY OF LEGISLATION PASSED  
**Committee on Education Pre-K - 12**

**CS/CS/CS/SB 538 — Extracurricular Activities**

by Rules Committee; Judiciary Committee; Education Pre-K - 12 Committee; and Senator Simon

**Interscholastic and Intrascholastic Extracurricular Activities**

The bill makes substantial changes to high school and middle school athletics in Florida regarding student eligibility, transfers, and costs for students to play sports. The bill provides the following definitions:

- “Eligible student” means a home education student, charter school student, private school student, Florida Virtual School student, alternative school student, or traditional public-school student who wishes to participate in an interscholastic or intrascholastic extracurricular activity.
- “Governing Organization” means any organization that governs interscholastic and intrascholastic activities of a school, including, but not limited to, the Florida High School Athletic Association (FHSAA).

The bill aligns eligibility for all students, regardless of the educational setting, by specifying that students are eligible to participate in an interscholastic or intrascholastic extracurricular activity (activity) at the school in which he or she is enrolled. An eligible student may participate in an activity at a school other than the school in which the student is enrolled if:

- The school in which the student is enrolled does not offer the same activity or the student is in a home education program; and
- The school at which the student will participate in the activity is located in the school district in which the student resides.

The bill provides that if a public or charter school in the district in which the student resides does not offer the activity, and an agreement cannot be reached with a private school in the district in which the student resides, the student may participate at a public, charter, or private school in a school district adjacent to the school district in which the student resides. The student may also petition the executive director of the governing organization to explore additional options. The bill expands the school personnel who may maintain records for all participating eligible students from both FHSAA and non-FHSAA schools.

The bill authorizes public schools to assess an activity fee to an enrolled student. The bill provides that public schools in which a student seeks to participate may assess an activity fee to a student that is not enrolled, provided that such fee does not exceed the greater of the following:

- The fee students enrolled at the school pay to participate in the activity; or
- A reasonable fee based on the costs to the school not to exceed \$400 per activity.

Annually by July 1, activity fees different from the fees charged to enrolled students must be approved by the district school board or charter school governing board, as appropriate, after being voted on as an action item. The bill requires each public school to post on its website a complete list of fees charged to participating students, by activity, prior to the beginning of the

school year and submit to the Department of Education. The bill specifies that the activity fee charged to home education student must be the same as charged to enrolled students.

The bill also requires the parents of the student participating in the activity to provide for the transportation of the student and releases the school and district school board from liability for such transportation.

The bill prohibits a student from participating in sports at two different schools during the same school year unless the student:

- Is a dependent child of active duty military personnel whose move resulted from military orders;
- Has been relocated due to a foster care placement in a different school zone;
- Has moved due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent; or
- Has been granted approval by the applicable governing organization's executive director.

The bill requires the governing organization to provide a determination of eligibility to the requesting student within 14 days after the request is made, and to adopt bylaws establishing criteria for determining the eligibility of transferring students. The bill requires that the governing organization establish an appeals process that is equivalent to the appeals procedure that is currently in law but must include a 20-day timeline for a decision.

### **Governing Organizations**

The bill requires a governing organization to adopt, maintain, and enforce sport-specific manuals or handbooks that govern interscholastic competition. The manuals or handbooks may include, but are not limited to, timing, scoring, equipment, officiating, and athlete safety. The bill requires the governing association to ensure that athletes may request exemptions or accommodations from real-time scoring requirements not later than 72 hours before a sanctioned event. If a request is made within the prescribed time, the FHSAA must provide access to accommodations for such participants.

### **Athletic Coach and Activity Sponsor Compensation**

The bill authorizes a district school board to adopt a policy regarding the use of voluntary donations and revenues generated by authorized booster clubs or associations to provide funds to athletic coaches or activity sponsors. The bill specifies that such funds may not be used for severance pay or for salary compensation.

The bill defines an extracurricular activities administrator, and authorizes a district school superintendent to negotiate individual compensation for such personnel, which may not exceed the compensation of the highest paid administrator in the district.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on July 1, 2026.

*Vote: Senate 37-0; House 104-6*

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