

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 978

SPONSOR: Senator Sullivan

SUBJECT: High School Athletics

DATE: April 12, 1999 REVISED: \_\_\_\_\_

|    | ANALYST      | STAFF DIRECTOR   | REFERENCE | ACTION              |
|----|--------------|------------------|-----------|---------------------|
| 1. | <u>White</u> | <u>O'Farrell</u> | <u>ED</u> | <u>Favorable/CS</u> |
| 2. | _____        | _____            | _____     | _____               |
| 3. | _____        | _____            | _____     | _____               |
| 4. | _____        | _____            | _____     | _____               |
| 5. | _____        | _____            | _____     | _____               |

## I. Summary:

This committee substitute revises student standards for participation in interscholastic extracurricular student activities. Specifically, the bill:

- Clarifies that public schools are not mandated to authorize participation by nonpublic school students, except home schooled students.
- Authorizes a student to participate even if his or her grades fall beneath a grade point average of 2.0 cumulative, provided the student enters into a contract to raise grades.
- Requires the contract to include attending summer school.
- Requires the cumulative GPA of 2.0 for participation in the junior or senior year.
- Specifies that home school students are eligible only at the public school to which they would have been assigned by the district.
- Removes a requirement that initial eligibility may not be based on where or with whom the student lived or on which school the student attended in the previous year.

This bill amends the following sections of the Florida Statutes: 232.245 and 232.61.

## II. Present Situation:

Section 232.425, F.S., prescribes student standards for participation in interscholastic extracurricular student activities. To be eligible to participate, a student entering the 9th grade during the 1997-1998 school year and thereafter must maintain a *cumulative* GPA of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required for graduation. Students who entered the 9th grade prior to the 1997-1998 school year must maintain a *cumulative* GPA of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required for graduation, that are taken after July 1, 1997, or have an overall cumulative grade point average of 2.0 or above. Until 1997, the requirement was to maintain a 1.5 GPA and to pass five subjects in the previous grading period; except that student eligibility for the first grading period of each new school year (football season) was based on passing five subjects and maintaining the required grade point average the previous school year, including subjects completed during the interim summer school session.

In HB 2505, the “Craig Dickinson Act,” the 1996 Legislature amended section 232.425, F.S., to authorize participation by home education students in interscholastic extracurricular activities at public and nonpublic schools.

Section 232.61, F.S., requires the Florida High School Activities Association to adopt bylaws that, unless otherwise prescribed by statute, establish eligibility requirements for all students (in member schools) participating in high school athletics. The bylaws must allow a student to be eligible in the school in which he or she first enrolls each school year, or makes himself or herself eligible as a candidate for an athletic team by engaging in a practice prior to enrolling in the member school. The student is eligible in that school as long as he or she remains enrolled in that school. Subsequent eligibility is determined and enforced through the bylaws. The statute specifically provides that eligibility determination cannot be based on where or with whom the student lived, or on which school the student attended, in the previous year. The bylaws must specifically prohibit recruiting and must prescribe penalties and an appeals process for recruiting violations.

Staff of the Florida High School Activities Association report that a county court recently found in favor of a private school student who wanted to play soccer on the team of a selected public school because her private school did not sponsor soccer. The public school denied her participation; she sued and won based on the requirement in s. 232.61, F.S., that a student is eligible for participation at a school if he or she engages in a practice prior to enrolling in any member school, and provisions in s. 232.425, F.S., that apply to home schooled students.

Staff also report anecdotal evidence of students becoming ineligible because of grades. Athletic directors reported that a record number were ineligible in spring of 1998, even though they had earned good grades in fall of 1997.

### **III. Effect of Proposed Changes:**

#### **Section 1** (Amends s. 232.245, F.S.)

- Clarifies that schools are not mandated to authorize participation by nonpublic school students. The bill specifies that the word “nonpublic” does not include home schooled students.
- Revises the minimum grade point average needed to maintain eligibility and establishes a contractual agreement for cases where a student’s average falls below the minimum required 2.0 cumulative GPA. Instead of needing to maintain a cumulative grade point average of 2.0 throughout grades 9 through 12, the student will need a 2.0 average in the semester preceding participation. By the junior year and during the senior year, the cumulative GPA will need to be 2.0.
- For a student with less than a 2.0 cumulative GPA, requires a contract to improve grades, including an agreement to attend summer school.
- Restricts home education students’ participation to the public school to which they would have been assigned by the school district.

#### **Section 2** (Amends s. 232.61, F.S.)

Removes a requirement that initial eligibility must not be based on where or with whom the student lived or on which school the student attended in the previous year.

**Section 3.**

Effective date upon becoming a law.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.