



152324

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/14/2016	.	
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The Committee on Education Pre-K - 12 (Brandes) recommended the following:

Senate Amendment (with directory and title amendments)

Between lines 63 and 64

insert:

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(g) The FHSAA shall provide a process for the resolution of student eligibility disputes which includes the opportunity to use an informal conference procedure.

1. The FHSAA must provide written notice to the student athlete, parent, and member school stating specific findings of



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11 fact that support a determination of ineligibility. The student
12 athlete, parent, or member school must request an informal
13 conference within 10 days after receipt of such notice if
14 intending to contest the determination. The informal conference
15 must be held within 10 days after receipt of the request. The
16 informal conference may be held by telephone or by video
17 conference and, if video conference equipment is available, may
18 be conducted at the student's school.

19 2. If the eligibility dispute is not resolved at the
20 informal conference and if requested by the student athlete,
21 parent, or member school, the FHSAA must provide a formal
22 process for the timely and cost-effective resolution of an
23 eligibility dispute by a neutral third party whose decision is
24 binding on the parties to the dispute. The neutral third party
25 must be mutually agreed to by the parties and may be a retired
26 or former judge, a dispute resolution professional approved by
27 The Florida Bar or by the court in the circuit in which the
28 dispute arose, or a certified mediator or arbitrator in the
29 jurisdiction in which the dispute arose. If the parties cannot
30 mutually agree on a neutral third party, the FHSAA must select a
31 neutral third party at random from a list of dispute resolution
32 professionals maintained by The Florida Bar.

33 3. A final determination regarding the eligibility dispute
34 must be issued no later than 30 days after the informal
35 conference, unless an extension is agreed upon by both parties.

36 (i) ~~(h)~~ In lieu of bylaws adopted under paragraph (h) ~~(g)~~,
37 the FHSAA may adopt bylaws providing as a minimum the procedural
38 safeguards of ss. 120.569 and 120.57, making appropriate
39 provision for appointment of unbiased and qualified hearing



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40 officers.

41

42 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

43 And the directory clause is amended as follows:

44 Delete lines 16 - 17

45 and insert:

46 Section 1. Subsection (1) and present paragraph (h) of
47 subsection (2) of section 1006.20, Florida Statutes, are
48 amended, present paragraphs (g) through (m) of that subsection
49 are redesignated as paragraphs (h) through (n), respectively,
50 and a new paragraph (g) is added to that subsection, to read:

51

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

53 And the title is amended as follows:

54 Between lines 11 and 12

55 insert:

56 providing a process for resolving student eligibility
57 disputes; conforming a cross-reference;