

By Senator Burgess

20-00571A-21

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1                   A bill to be entitled  
2       An act relating to the Florida High School Athletic  
3       Association (FHSAA); amending s. 1006.20, F.S.;  
4       requiring the FHSAA to allow certain schools and home  
5       education cooperatives to maintain full membership in  
6       the association or to join by sport; prohibiting the  
7       FHSAA from discouraging such school or cooperative  
8       from simultaneously maintaining membership in another  
9       athletic association; requiring, rather than  
10      authorizing, the FHSAA to allow public schools to join  
11      other athletic associations; prohibiting the FHSAA  
12      from taking retributory or discriminatory actions  
13      against member schools that join other athletic  
14      associations; prohibiting the FHSAA from taking  
15      certain actions against specified entities that choose  
16      not to participate in the association for any sport;  
17      providing an effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

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21       Section 1. Subsection (1) of section 1006.20, Florida  
22       Statutes, is amended to read:

23       1006.20 Athletics in public K-12 schools.—

24       (1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High  
25       School Athletic Association (FHSAA) is designated as the  
26       governing nonprofit organization of athletics in Florida public  
27       schools. If the FHSAA fails to meet the provisions of this  
28       section, the commissioner shall designate a nonprofit  
29       organization to govern athletics with the approval of the State

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2021760\_\_

30 Board of Education. The FHSAA is not a state agency as defined  
31 in s. 120.52. The FHSAA shall be subject to the provisions of s.  
32 1006.19. A private school that wishes to engage in high school  
33 athletic competition with a public high school may become a  
34 member of the FHSAA. Any high school in the state, including  
35 charter schools, virtual schools, and home education  
36 cooperatives, may become a member of the FHSAA and participate  
37 in the activities of the FHSAA. However, membership in the FHSAA  
38 is not mandatory for any school. The FHSAA must allow a private  
39 school or a public school, including a charter school, a virtual  
40 school, and a home education cooperative, the option of  
41 maintaining full membership in the association or joining by  
42 sport and may not discourage such school or cooperative ~~a~~  
43 ~~private school~~ from simultaneously maintaining membership in  
44 another athletic association. The FHSAA must ~~may~~ allow a public  
45 school ~~the option to apply for consideration~~ to join another  
46 athletic association. The FHSAA may not deny or discourage  
47 interscholastic competition between its member schools and non-  
48 FHSAA member Florida schools, including members of another  
49 athletic governing organization, and may not take any  
50 retributory or discriminatory action against any of its member  
51 schools that join another athletic association or that  
52 participate in interscholastic competition with non-FHSAA member  
53 Florida schools. The FHSAA may not punish, discourage,  
54 intimidate, or penalize any private school or public school,  
55 including a charter school, a virtual school, and a home  
56 education cooperative, from choosing not to participate in the  
57 association for any sport. The FHSAA may not unreasonably  
58 withhold its approval of an application to become an affiliate

20-00571A-21

2021760\_\_

59 member of the National Federation of State High School  
60 Associations submitted by any other organization that governs  
61 interscholastic athletic competition in this state. The bylaws  
62 of the FHSAA are the rules by which high school athletic  
63 programs in its member schools, and the students who participate  
64 in them, are governed, unless otherwise specifically provided by  
65 statute. For the purposes of this section, "high school"  
66 includes grades 6 through 12.

67 Section 2. This act shall take effect July 1, 2021.