



273934

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/06/2023	.	
	.	
	.	
	.	

---

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

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (1), paragraph (a) of subsection (2), paragraphs (a) and (e) of subsection (4), paragraphs (a) and (h) of subsection (5), paragraph (b) of subsection (6), and subsection (8) of section 1006.20, Florida Statutes, are amended to read:

1006.20 Athletics in public K-12 schools.-



273934

11 (1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High  
12 School Athletic Association (FHSAA) is designated as a the  
13 governing nonprofit organization of athletics in Florida public  
14 schools. If the FHSAA fails to meet the provisions of this  
15 section, the commissioner must ~~shall~~ designate a nonprofit  
16 organization to govern athletics with the approval of the State  
17 Board of Education. The FHSAA is not a state agency as defined  
18 in s. 120.52. The FHSAA is ~~shall be~~ subject to ~~the provisions of~~  
19 s. 1006.19. A private school that wishes to engage in high  
20 school athletic competition with a public high school may become  
21 a member of the FHSAA. Any high school in this the state,  
22 including charter schools, virtual schools, and home education  
23 cooperatives, may become a member of the FHSAA and participate  
24 in the activities of the FHSAA; ~~however,~~ membership in the  
25 FHSAA is not mandatory for any school. The FHSAA shall ~~must~~  
26 allow a ~~private~~ school the option of maintaining full membership  
27 in the association or joining by sport and may not discourage a  
28 ~~private~~ school from simultaneously maintaining membership in  
29 another athletic association. The FHSAA shall allow any school  
30 joining by sport to participate in the championship contest or  
31 series of contests for that sport ~~may allow a public school the~~  
32 ~~option to apply for consideration to join another athletic~~  
33 ~~association.~~ The FHSAA may not deny or discourage  
34 interscholastic competition between its member schools and non-  
35 FHSAA member Florida schools, including members of another  
36 athletic governing organization, and may not take any  
37 retributory or discriminatory action against any of its member  
38 schools that participate in interscholastic competition with  
39 non-FHSAA member Florida schools. The FHSAA may not unreasonably



273934

40 withhold its approval of an application to become an affiliate  
41 member of the National Federation of State High School  
42 Associations submitted by any other organization that governs  
43 interscholastic athletic competition in this state. The bylaws  
44 of the FHSAA are the rules by which high school athletic  
45 programs in its member schools, and the students who participate  
46 in them, are governed, unless otherwise specifically provided by  
47 statute. For the purposes of this section, the term "high  
48 school" includes grades 6 through 12.

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

50 (a) The FHSAA shall adopt bylaws that, unless specifically  
51 provided otherwise by statute, establish eligibility  
52 requirements for all students who participate in high school  
53 athletic competition in its member schools. The bylaws governing  
54 residence and transfer must ~~shall~~ allow the student to be  
55 immediately eligible in the school in which he or she first  
56 enrolls each school year or the school in which the student  
57 makes himself or herself a candidate for an athletic team by  
58 engaging in a practice before ~~prior to~~ enrolling in the school.  
59 The bylaws must ~~shall~~ also allow the student to be immediately  
60 eligible in the school to which the student has transferred. The  
61 student remains ~~shall be~~ eligible in that school so long as he  
62 or she remains enrolled in that school. Subsequent eligibility  
63 must ~~shall~~ be determined and enforced through the FHSAA's  
64 bylaws. Requirements governing eligibility and transfer between  
65 member schools must ~~shall~~ be applied similarly to public school  
66 students and private school students. The commissioner may  
67 direct the FHSAA to revise its bylaws at any time.

68 1. Any changes to the FHSAA's bylaws must be ratified by



273934

69 the State Board of Education.

70 2. A bylaw adopted by the FHSAA board of directors may not  
71 take effect until it is ratified by the State Board of  
72 Education.

73 (4) BOARD OF DIRECTORS.—

74 (a) The executive and legislative authority of the FHSAA is  
75 shall be vested in its board of directors, which is. ~~Any entity~~  
76 ~~that appoints members to the board of directors shall examine~~  
77 ~~the ethnic and demographic composition of the board when~~  
78 ~~selecting candidates for appointment and shall, to the greatest~~  
79 ~~extent possible, make appointments that reflect state~~  
80 ~~demographic and population trends. The board of directors shall~~  
81 ~~be~~ composed of 9 members, 8 of whom are appointed by the  
82 Governor and confirmed by the Senate 16 persons, as follows:

83 1. Two Four public member school representatives appointed  
84 from different administrative regions, ~~one elected from among~~  
85 ~~its public school representative members within each of the four~~  
86 ~~administrative regions.~~

87 2. Two Four nonpublic member school representatives  
88 appointed from different administrative regions that are also  
89 different than those represented by the public member school  
90 representatives appointed under subparagraph 1., ~~one elected~~  
91 ~~from among its nonpublic school representative members within~~  
92 ~~each of the four administrative regions.~~

93 3. Two Three representatives ~~appointed by the commissioner,~~  
94 one appointed from the two northernmost administrative regions  
95 and one appointed from the two southernmost administrative  
96 regions. ~~The third representative shall be appointed to balance~~  
97 ~~the board for diversity or state population trends, or both.~~



273934

98           4. One ~~Two~~ district school superintendent appointed from  
99 ~~superintendents, one elected from the two~~ northernmost  
100 administrative region ~~regions~~ by the members in those regions  
101 and one elected from the two southernmost administrative regions  
102 by the members in those regions.

103           5. One ~~Two~~ district school board member appointed ~~members,~~  
104 ~~one elected from the two northernmost administrative regions by~~  
105 ~~the members in those regions and one elected from the two~~  
106 southernmost administrative region ~~regions~~ by the members in  
107 those regions.

108           6. The commissioner or his or her designee from the  
109 department executive staff.

110           (e) The authority and duties of the board of directors,  
111 acting as a body and in accordance with the FHSAA's bylaws, are  
112 as follows:

113           1. To act as the incorporated FHSAA's board of directors  
114 and to fulfill its obligations as required by the FHSAA's  
115 charter and articles of incorporation.

116           2. To establish such guidelines, regulations, policies, and  
117 procedures as are authorized by the bylaws.

118           3. To employ an FHSAA executive director, who has ~~shall~~  
119 ~~have~~ the authority to waive the bylaws of the FHSAA in order to  
120 comply with statutory changes. The hiring of the executive  
121 director must be ratified by the State Board of Education.

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

124           5. To approve the budget of the FHSAA. The budget adopted  
125 by the board of directors must be ratified by the State Board of  
126 Education.



273934

127           6. To organize and conduct statewide interscholastic  
128 competitions, which may or may not lead to state championships,  
129 and to establish the terms and conditions for these  
130 competitions.

131           7. To act as an administrative board in the interpretation  
132 of, and final decision on, all questions and appeals arising  
133 from the directing of interscholastic athletics of member  
134 schools.

135           8. To approve, reject, or amend any legislative  
136 recommendations from the representative assembly. Approval of  
137 such recommendations requires a majority vote of the board.

138           (5) REPRESENTATIVE ASSEMBLY.—

139           (a) ~~The legislative authority of the FHSAA is vested in its~~  
140 representative assembly may make legislative recommendations to  
141 the board of directors.

142           (h) The authority of the representative assembly is limited  
143 to its sole duty, which is to consider, adopt, or reject any  
144 recommended proposed amendments to the FHSAA's bylaws.

145           (6) PUBLIC LIAISON ADVISORY COMMITTEE.—

146           (b) A ~~No~~ member of the board of directors or the committee  
147 on appeals may not, ~~or representative assembly is eligible to~~  
148 serve on the public liaison advisory committee.

149           (8) AMENDMENT OF BYLAWS.—Each member school representative,  
150 the board of directors acting as a whole or ~~as~~ members acting  
151 individually, any advisory committee acting as a whole to be  
152 established by the FHSAA, the commissioner, and the FHSAA's  
153 executive director may ~~are empowered to~~ propose amendments to  
154 the bylaws. Any other individual may propose an amendment by  
155 securing the sponsorship of any such ~~of the aforementioned~~



273934

156 individuals or bodies. All proposed amendments must be submitted  
157 directly to the representative assembly for its consideration.  
158 The representative assembly shall provide a recommendation to  
159 the board of directors to either adopt, reject, or revise any  
160 proposed amendments, while empowered to adopt, reject, or revise  
161 proposed amendments, may not, in and of itself, as a body be  
162 allowed to propose any amendment for its own consideration.

163 Section 2. Section 1006.185, Florida Statutes, is created  
164 to read:

165 1006.185 Opening remarks at high school athletic contests.-  
166 Each athletic association designated under s. 1006.20 whose  
167 membership includes public schools shall adopt bylaws, policies,  
168 or procedures that provide each school participating in a high  
169 school championship contest or series of contests under the  
170 direction and supervision of the association the opportunity to  
171 make brief opening remarks, if requested by the school, using  
172 the public address system at the event. Such remarks may not be  
173 longer than 2 minutes per participating school. The athletic  
174 association may not control, monitor, or review the content of  
175 the opening remarks and may not control the school's choice of  
176 speaker. Member schools may not provide remarks that are  
177 derogatory, rude, or threatening. Before the opening remarks, an  
178 announcement must be made that the content of any opening  
179 remarks by a participating school is not endorsed by and does  
180 not reflect the views and or opinions of the athletic  
181 association. The decision to allow opening remarks before  
182 regular season contests is at the discretion of each school.

183 Section 3. This act shall take effect July 1, 2023.  
184



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

186 And the title is amended as follows:

187 Delete everything before the enacting clause

188 and insert:

189 A bill to be entitled

190 An act relating to interscholastic activities;  
191 amending s. 1006.20, F.S.; requiring the Florida High  
192 School Athletic Association (FHSAA) to allow any  
193 school joining the organization by sport to  
194 participate in the championship contest or series of  
195 contests for that sport; providing that the  
196 Commissioner of Education may direct the FHSAA to  
197 revise its bylaws at any time; requiring that any  
198 changes to the FHSAA bylaws be ratified by the State  
199 Board of Education; deleting a requirement that the  
200 appointing authority of members of the FHSAA Board of  
201 Directors make appointments that reflect the  
202 demographic and population trends of this state;  
203 revising the composition of the board of directors;  
204 providing that all appointed board members be  
205 appointed by the Governor and confirmed by the Senate;  
206 requiring that the hiring of the FHSAA executive  
207 director be ratified by the State Board of Education;  
208 requiring that the budget adopted by the board of  
209 directors be ratified by the State Board of Education;  
210 requiring a majority vote of the board of directors  
211 for the approval of legislative recommendations from  
212 the representative assembly; creating s. 1006.185,  
213 F.S.; requiring each approved athletic association





273934

214       whose membership includes public schools to allow each  
215       participating school to make opening remarks at  
216       certain athletic contests; providing requirements for  
217       the remarks; providing an effective date.