

By Senator Stargel

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1 A bill to be entitled
2 An act relating to student extracurricular activities;
3 amending s. 1006.15, F.S.; revising the principles
4 that guide policies governing student eligibility for
5 extracurricular activities; changing the term
6 "extracurricular" to "extracurricular activity";
7 defining terms; providing that certain public or
8 private school students are presumed to be eligible to
9 participate in extracurricular activities; defining
10 the term "public school student"; revising the
11 requirements for students from certain schools to be
12 eligible for extracurricular activities; revising
13 standards for participation; amending s. 1006.16,
14 F.S.; requiring a district school board's insurance
15 for participants in extracurricular activities to
16 cover certain students at the same rate as other
17 district school students; amending s. 1006.19, F.S.;
18 requiring certain nonprofit associations to provide
19 the Auditor General with a copy of their annual
20 financial and compliance audit within a specified
21 timeframe; requiring the Auditor General to conduct an
22 operational audit of such nonprofit associations;
23 requiring such nonprofit associations to submit an
24 annual report to the Commissioner of Education and the
25 Legislature; specifying the requirements of the
26 report; amending s. 1006.20, F.S.; deleting the
27 designation of the Florida High School Athletic
28 Association as the governing nonprofit organization of
29 athletics in Florida public schools and instead

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30 requiring the commissioner to designate, by a certain
31 date, a nonprofit association to be the governing
32 body; limiting the dues, fees, or receipts collected
33 by the nonprofit association; requiring the
34 association to set certain eligibility requirements;
35 specifying when a student may be declared ineligible
36 due to a recruiting violation; providing for third-
37 party arbitration of student eligibility disputes;
38 revising the governance structure of the nonprofit
39 association; revising the membership of the board of
40 directors; limiting the nonprofit association
41 executive director's salary and entitlement to per
42 diem and travel expenses; requiring an appeal of a
43 committee's ineligibility decision to be made within a
44 certain timeframe; conforming provisions to changes
45 made by the act; amending s. 1002.33, F.S.; conforming
46 a cross-reference; providing a directive to the
47 Division of Law Revision and Information; providing an
48 effective date.

49
50 Be It Enacted by the Legislature of the State of Florida:

51
52 Section 1. Section 1006.15, Florida Statutes, is amended to
53 read:

54 1006.15 Student standards for eligibility to participate
55 ~~participation in interscholastic and intrascholastic~~
56 extracurricular ~~student~~ activities; regulation.-

57 (1) SHORT TITLE.-This section may be cited as the "Craig
58 Dickinson Act."

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59 (2) GUIDING PRINCIPLES.—District school board and nonprofit
60 association policies governing student eligibility for
61 extracurricular activities shall be guided by the following
62 principles:

63 (a) ~~Interscholastic~~ Extracurricular ~~student~~ activities are
64 an important complement to the academic curriculum and provide
65 students with incentives to succeed academically.

66 (b) Participation in a comprehensive extracurricular and
67 academic program contributes to student development of the
68 social and intellectual skills necessary to become a well-
69 rounded adult.

70 (c) Extracurricular activities promote teamwork and
71 collaboration, expose students to people from diverse
72 backgrounds, and enhance parental engagement in the school.

73 (d) Policies governing student eligibility for
74 extracurricular activities should not impede parental school
75 choice.

76 (e) A student's attendance zone or choice of educational
77 program should not be a barrier for the student to participate
78 in extracurricular activities that are not offered by the
79 student's school or program.

80 (3) DEFINITIONS.—As used in this ~~part section~~, the term:

81 (a) "Extracurricular activity" means any school-authorized
82 or education-related activity occurring during or outside the
83 regular instructional school day.

84 (b) "Home education cooperative" means a parent-directed
85 group of individual home education students which provides
86 opportunities for interscholastic athletic competition to those
87 students and may include students in grades 6 through 12.

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88 (c) "Impermissible benefits" means the preferential
89 treatment, benefit, or service that is based on a student
90 athlete's athletic reputation, skill, or payback potential as a
91 future professional athlete provided to a student athlete or his
92 or her family or relative. The term includes, but is not limited
93 to:

94 1. Cash and cost-free goods or services.

95 2. Special discounts, payment arrangements, or credit
96 options for products or services if the same are not available
97 to all students.

98 3. Payment for work not performed or payment at
99 unreasonable levels.

100 4. The purchase of items or services from the student
101 athlete or his or her family or relatives at inflated prices.

102

103 The term does not include transportation arrangements.

104 (d) "Nonprofit association" means the association
105 designated by the Commissioner of Education pursuant to s.
106 1006.20 which operates for the purpose of supervising,
107 controlling, organizing, sanctioning, or scheduling the
108 interscholastic activities of a public school.

109 (e) "Public school student" means, unless the context
110 indicates otherwise, a student who is attending a traditional
111 public school, a charter school, a magnet school, an alternative
112 school, any other public school of choice, or a public virtual
113 school.

114 (f) "Recruiting" means an effort by an employee, adult
115 representative, or athletic department staff member to pressure,
116 urge, or entice a student to attend the employee's,

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117 representative's, or staff member's school to participate in
 118 interscholastic athletics by use of impermissible benefits.

119 (g) "Unaffiliated private school" means a private school
 120 that is not a member of the nonprofit association.

121 (4) ~~(3)~~ ELIGIBILITY.—A public school student or private
 122 school student who attends a school identified in this section
 123 is presumed to be eligible to participate in extracurricular
 124 activities if the student meets all eligibility requirements in
 125 this section and in s. 1006.20. For the purposes of this
 126 section, the term "public school student" also includes a
 127 student of the Florida Virtual School, a full-time virtual
 128 instruction program pursuant to s. 1002.45, a virtual charter
 129 school, and any other charter school.

130 (a) *Maintaining eligibility.*—A student remains eligible to
 131 participate in extracurricular activities if the student ~~To be~~
 132 ~~eligible to participate in interscholastic extracurricular~~
 133 ~~student activities, a student must:~~

134 1. Maintains ~~Maintain~~ a grade point average of 2.0 or above
 135 on a 4.0 scale, or its equivalent, in the previous semester or a
 136 cumulative grade point average of 2.0 or above on a 4.0 scale,
 137 or its equivalent, in the courses required by s. 1002.3105(5) or
 138 s. 1003.4282.

139 2. Executes ~~Execute~~ and fulfills ~~fulfill~~ the requirements
 140 of an academic performance contract between the student, the
 141 district school board, the appropriate governing association,
 142 and the student's parents, if the student's cumulative grade
 143 point average falls below 2.0, or its equivalent, on a 4.0 scale
 144 in the courses required by s. 1002.3105(5) or s. 1003.4282. At a
 145 minimum, the contract must require that the student attend

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146 summer school, or its graded equivalent, between grades 9 and 10
147 or grades 10 and 11, as necessary.

148 3. Has ~~Have~~ a cumulative grade point average of 2.0 or
149 above on a 4.0 scale, or its equivalent, in the courses required
150 by s. 1002.3105(5) or s. 1003.4282 during his or her junior or
151 senior year.

152 4. Maintains ~~Maintain~~ satisfactory conduct as prescribed by
153 the district school board's or private school's code, ~~including~~
154 ~~adherence to appropriate dress and other codes~~ of student
155 ~~conduct policies described in s. 1006.07(2).~~ If a student is
156 convicted of, or is found to have committed, a felony or a
157 delinquent act that would have been a felony if committed by an
158 adult, regardless of whether adjudication is withheld, the
159 student's participation in ~~interscholastic~~ extracurricular
160 activities is contingent upon established and published district
161 school board or private school policy.

162 (b) Exemption.—Any student who is exempt from attending a
163 full school day based on rules adopted by the district school
164 board for double session schools or programs, experimental
165 schools, or schools operating under emergency conditions must
166 maintain the grade point average required by this section and
167 pass each class for which he or she is enrolled.

168 (c) Ineligibility.—A student may be declared ineligible to
169 participate in extracurricular activities only if:

170 1. The student failed to comply with paragraph (a);

171 2. The student or parent falsified an enrollment or
172 eligibility document; or

173 3. The student or parent accepted an impermissible benefit.

174 (d) Transfer students.—

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175 1. A student who transfers from a home education program to
176 a public or private school before or during the first grading
177 period of the school year is academically eligible to
178 participate in extracurricular activities during the first
179 grading period if the student has a successful evaluation from
180 the previous school year, pursuant to subparagraph (e)1.

181 2. A public school student or private school student who
182 transfers into a home education program after being declared
183 ineligible for participation in extracurricular activities is
184 ineligible to participate in such activities as a home education
185 student until the student has successfully completed one grading
186 period in the home education program pursuant to s. 1002.41.

187 3. A public school student who transfers to a private
188 school or another public school or a private school student who
189 transfers to a public school or another private school after
190 being declared ineligible to participate in extracurricular
191 activities is ineligible to participate in such activities until
192 the student has successfully completed one grading period at the
193 new school and meets the requirements of paragraph (a).

194 (e)(e) *Public, unaffiliated private school, and home*
195 *education students.*—A public school student, a student attending
196 an unaffiliated private school, or a ~~An individual~~ home
197 education student is eligible to participate in any
198 extracurricular activity that is not offered by the student's
199 school or educational program. The student may participate in
200 the extracurricular activity at a ~~the~~ public school in the
201 school district in which the student resides ~~to which the~~
202 ~~student would be assigned according to district school board~~
203 ~~attendance area policies~~ or at a public school in another school

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204 district which the student could choose to attend pursuant to an
205 ~~district or~~ interdistrict controlled open enrollment policy
206 ~~provisions,~~ or the student may develop an agreement to
207 participate in the extracurricular activity at a private school,
208 ~~if in the interscholastic extracurricular activities of that~~
209 ~~school,~~ provided the following conditions are met:

210 1. A The home education student must meet the requirements
211 of the home education program pursuant to s. 1002.41. The
212 evaluation processes or requirements that are placed on home
213 education student participants may not go beyond those that
214 apply under s. 1002.41 to home education students generally.

215 ~~2. During the period of participation at a school, the home~~
216 ~~education student must demonstrate educational progress as~~
217 ~~required in paragraph (b) in all subjects taken in the home~~
218 ~~education program by a method of evaluation agreed upon by the~~
219 ~~parent and the school principal which may include: review of the~~
220 ~~student's work by a certified teacher chosen by the parent;~~
221 ~~grades earned through correspondence; grades earned in courses~~
222 ~~taken at a Florida College System institution, university, or~~
223 ~~trade school; standardized test scores above the 35th~~
224 ~~percentile; or any other method designated in s. 1002.41.~~

225 ~~3. The home education student must meet the same residency~~
226 ~~requirements as other students in the school at which he or she~~
227 ~~participates.~~

228 2.4. A The home education student who participates in an
229 extracurricular activity under this paragraph must meet the same
230 standards of acceptance, behavior, and performance as required
231 of other students in extracurricular activities.

232 3.5. A The student who participates in an extracurricular

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233 activity under this paragraph must register with the school his
234 or her intent to participate in ~~interscholastic~~ extracurricular
235 activities as a representative of the school before the
236 beginning date of the nonathletic activity or the beginning date
237 of the season for the athletic activity in which he or she
238 wishes to participate. A ~~home education~~ student must be able to
239 participate in curricular activities if that is a requirement
240 for an extracurricular activity.

241 4. The parent of a student who participates in an
242 extracurricular activity under this paragraph is responsible for
243 transporting the student to and from the school at which the
244 student participates. The school that the student attends, the
245 school at which the student participates in the extracurricular
246 activity, the district school board, and the nonprofit
247 association are exempt from civil liability arising from an
248 injury that occurs to the student during such transportation.

249 ~~6. A student who transfers from a home education program to~~
250 ~~a public school before or during the first grading period of the~~
251 ~~school year is academically eligible to participate in~~
252 ~~interscholastic extracurricular activities during the first~~
253 ~~grading period provided the student has a successful evaluation~~
254 ~~from the previous school year, pursuant to subparagraph 2.~~

255 ~~7. Any public school or private school student who has been~~
256 ~~unable to maintain academic eligibility for participation in~~
257 ~~interscholastic extracurricular activities is ineligible to~~
258 ~~participate in such activities as a home education student until~~
259 ~~the student has successfully completed one grading period in~~
260 ~~home education pursuant to subparagraph 2. to become eligible to~~
261 ~~participate as a home education student.~~

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262 (f) ~~(d)~~ Charter school students.—An individual charter
263 school student pursuant to s. 1002.33 is eligible to participate
264 at the public school to which the student would be assigned
265 according to district school board attendance area policies or
266 which the student could choose to attend, pursuant to district
267 or interdistrict controlled open enrollment ~~open enrollment~~
268 provisions, or to participate at a conversion charter school if
269 the student resides within the conversion charter school's
270 attendance zone as provided in s. 1002.33(10) (c), in any
271 ~~interscholastic~~ extracurricular activity of that public school
272 or conversion charter school, unless such activity is provided
273 by the student's charter school, if the following conditions are
274 met:

275 1. The charter school student must meet the requirements of
276 the charter school education program as determined by the
277 charter school governing board.

278 2. During the period of participation at a school, the
279 charter school student must demonstrate educational progress as
280 required in paragraph (b).

281 3. The charter school student must meet the same residency
282 requirements as other students in the school at which he or she
283 participates.

284 4. The charter school student must meet the same standards
285 of acceptance, behavior, and performance as that are ~~as that are~~ required of
286 other students in extracurricular activities.

287 5. The charter school student must register with the school
288 his or her intent to participate in ~~interscholastic~~
289 extracurricular activities as a representative of the school
290 before the beginning date of the season for the activity in

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291 which he or she wishes to participate. A charter school student
292 must be able to participate in curricular activities if that is
293 a requirement for an extracurricular activity.

294 6. A student who transfers from a charter school program to
295 a traditional public school before or during the first grading
296 period of the school year is academically eligible to
297 participate in ~~interscholastic~~ extracurricular activities during
298 the first grading period if the student has a successful
299 evaluation from the previous school year, pursuant to
300 subparagraph 2.

301 7. Any public school or private school student who has been
302 unable to maintain academic eligibility for participation in
303 ~~interscholastic~~ extracurricular activities is ineligible to
304 participate in such activities as a charter school student until
305 the student has successfully completed one grading period in a
306 charter school pursuant to subparagraph 2. to become eligible to
307 participate as a charter school student.

308 (g)(e) Florida Virtual School students.—A student of the
309 Florida Virtual School full-time program is eligible to ~~may~~
310 participate in any ~~interscholastic~~ extracurricular activity at
311 the public school to which the student would be assigned
312 according to district school board attendance area policies or
313 which the student could choose to attend, pursuant to district
314 or interdistrict controlled open enrollment policies, if the
315 following conditions are met ~~student~~:

316 1. During the period of participation in the
317 ~~interscholastic~~ extracurricular activity, the Florida Virtual
318 School student must meet ~~meets~~ the requirements in paragraph
319 (a).

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320 2. The Florida Virtual School student must meet ~~Meets~~ any
321 additional requirements as determined by the board of trustees
322 of the Florida Virtual School.

323 3. The Florida Virtual School student must meet ~~Meets~~ the
324 same residency requirements as other students in the school at
325 which he or she participates.

326 4. The Florida Virtual School student must meet ~~Meets~~ the
327 same standards of acceptance, behavior, and performance as that
328 ~~are~~ required of other students in extracurricular activities.

329 5. The Florida Virtual School student must register with
330 the school ~~Registers~~ his or her intent to participate in
331 ~~interscholastic~~ extracurricular activities ~~with the school~~
332 before the beginning date of the season for the activity in
333 which he or she wishes to participate. A Florida Virtual School
334 student must be able to participate in curricular activities if
335 that is a requirement for an extracurricular activity.

336 ~~(f) A student who transfers from the Florida Virtual School~~
337 ~~full-time program to a traditional public school before or~~
338 ~~during the first grading period of the school year is~~
339 ~~academically eligible to participate in interscholastic~~
340 ~~extracurricular activities during the first grading period if~~
341 ~~the student has a successful evaluation from the previous school~~
342 ~~year pursuant to paragraph (a).~~

343 ~~(g) A public school or private school student who has been~~
344 ~~unable to maintain academic eligibility for participation in~~
345 ~~interscholastic extracurricular activities is ineligible to~~
346 ~~participate in such activities as a Florida Virtual School~~
347 ~~student until the student successfully completes one grading~~
348 ~~period in the Florida Virtual School pursuant to paragraph (a).~~

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349 ~~(5)~~ (4) STANDARDS FOR PARTICIPATION.—The student standards
350 for participation in ~~interscholastic~~ extracurricular activities
351 must be applied beginning with the student's first semester of
352 the 9th grade. Each student must meet such other requirements
353 for participation as may be established by the district school
354 board; however, such requirements must apply on an equal basis
355 to all students and a district school board may not make
356 establish requirements for participation in interscholastic
357 extracurricular activities which make participation in such
358 activities less accessible to a student enrolled in a public
359 school of choice, an unaffiliated private school, or a home
360 education program students than to other students. A district
361 school board or private school may not establish more stringent
362 eligibility policies on extracurricular activities for a
363 transfer student than the policies established by the nonprofit
364 association ~~Except as set forth in paragraph (3) (c), evaluation~~
365 ~~processes or requirements that are placed on home education~~
366 ~~student participants may not go beyond those that apply under s.~~
367 ~~1002.41 to home education students generally.~~

368 ~~(5) Any organization or entity that regulates or governs~~
369 ~~interscholastic extracurricular activities of public schools:~~

370 ~~(a) Shall permit home education associations to join as~~
371 ~~member schools.~~

372 ~~(b) Shall not discriminate against any eligible student~~
373 ~~based on an educational choice of public, private, or home~~
374 ~~education.~~

375 (6) PROHIBITION.—Public schools are prohibited from
376 membership in any organization or entity that ~~which~~ regulates or
377 governs ~~interscholastic~~ extracurricular activities and

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378 discriminates against eligible students in public, private, or
379 home education.

380 (7) INSURANCE.—Any insurance provided by district school
381 boards for participants in extracurricular activities shall
382 cover the participating home education student. If there is an
383 additional premium for such coverage, the participating home
384 education student shall pay the premium.

385 (8) ~~(a)~~ NONPROFIT ASSOCIATION.—

386 (a) The nonprofit association ~~Florida High School Athletic~~
387 ~~Association (FHSAA)~~, in cooperation with each district school
388 board, shall facilitate a program in which a middle school or
389 high school student who attends a private school shall be
390 eligible to participate in an interscholastic or intrascholastic
391 sport at a public high school, a public middle school, or a 6-12
392 public school that is zoned for the physical address at which
393 the student resides if:

394 1. The private school in which the student is enrolled ~~is~~
395 ~~not a member of the FHSAA and~~ does not offer the an
396 interscholastic or intrascholastic athletic program.

397 2. The private school student meets the guidelines for the
398 conduct of the program established by the nonprofit
399 association's ~~FHSAA's~~ board of directors and the district school
400 board. At a minimum, such guidelines shall provide:

401 a. A deadline for each sport by which the private school
402 student's parents must register with the public school in
403 writing their intent for their child to participate at that
404 school in the sport.

405 b. Requirements for a private school student to participate
406 include, ~~including, but not limited to,~~ meeting the same

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407 standards of eligibility, acceptance, behavior, educational
408 progress, and performance which apply to other students
409 participating in interscholastic or intrascholastic sports at a
410 ~~public school or FHSAA member private school.~~

411 (b) The parents of a private school student participating
412 in a public school sport under this subsection are responsible
413 for transporting their child to and from the public school at
414 which the student participates. The private school the student
415 attends, the public school at which the student participates in
416 a sport, the district school board, and the nonprofit
417 association ~~FHSAA~~ are exempt from civil liability arising from
418 any injury that occurs to the student during such
419 transportation.

420 (c) For each academic year, a private school student may
421 ~~only~~ participate only at the public school in which the student
422 is first registered under sub-subparagraph (a)2.a. or makes
423 himself or herself a candidate for an athletic team by engaging
424 in a practice.

425 (d) The athletic director of each participating nonprofit
426 association ~~FHSAA~~ member public school shall maintain the
427 student records necessary for eligibility, compliance, and
428 participation in the program.

429 (e) Any ~~non-FHSAA member~~ private school that is not a
430 member of the nonprofit association and that has a student who
431 wishes to participate in this program must make all student
432 records, including, ~~but not limited to,~~ academic, financial,
433 disciplinary, and attendance records, available upon request of
434 the nonprofit association ~~FHSAA~~.

435 ~~(f) A student must apply to participate in this program~~

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436 ~~through the FHSAA program application process.~~

437 ~~(g) Only students who are enrolled in non-FHSAA member~~
438 ~~private schools consisting of 125 students or fewer are eligible~~
439 ~~to participate in the program in any given academic year.~~

440 Section 2. Section 1006.16, Florida Statutes, is amended to
441 read:

442 1006.16 Insuring school students engaged in extracurricular
443 ~~athletic~~ activities against injury.—Any district school board,
444 school athletic association, or school may formulate, conduct,
445 and purchase a plan or method of insuring, or may self-insure,
446 participants in extracurricular activities ~~school students~~
447 against injury sustained by reason of such participation
448 ~~students engaging and participating~~ in the extracurricular
449 ~~athletic~~ activities conducted or sponsored by the district
450 school board, association, or school ~~in which such students are~~
451 ~~enrolled~~. A district school board, school athletic association,
452 or school may add a surcharge to the fee charged for admission
453 to athletic events as a means of producing revenue to purchase
454 such insurance or to provide self-insurance. Any district school
455 board may pay for all or part of such plan or method of
456 insurance or self-insurance from available district school board
457 funds. Insurance provided by a district school board for
458 participants in extracurricular activities must cover a home
459 education student or unaffiliated private school student who
460 participates in extracurricular activities at the district
461 public school pursuant to s. 1006.15 under the same terms and
462 conditions that apply to a student enrolled in a district public
463 school.

464 Section 3. Section 1006.19, Florida Statutes, is amended to

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465 read:

466 1006.19 Audit of records of nonprofit corporations and
467 associations handling interscholastic activities.—

468 (1) Each nonprofit association ~~or corporation~~ that operates
469 for the purpose of supervising and controlling interscholastic
470 activities of public high schools and whose membership is
471 composed of duly certified representatives of public high
472 schools, ~~and whose rules and regulations are established by~~
473 ~~members thereof~~, shall have an annual financial and compliance
474 audit of its accounts and records conducted by an independent
475 certified public accountant retained by it and paid from its
476 funds. The accountant shall furnish a copy of the audit report
477 to the Auditor General no more than 30 days after the audit is
478 completed. At least every 3 years, the Auditor General shall
479 conduct an operational audit of the accounts and records of each
480 nonprofit association.

481 (2) Any such nonprofit association ~~or corporation~~ shall
482 keep adequate and complete records of all moneys received by it,
483 including the source and amount, and all moneys spent by it,
484 including salaries, fees, expenses, travel allowances, and all
485 other items of expense. All records of any such association
486 ~~organization~~ shall be open for inspection by the Auditor
487 General.

488 (3) Any such nonprofit association shall submit a report by
489 October 1 of each year to the Commissioner of Education, the
490 President of the Senate, and the Speaker of the House of
491 Representatives. The report must provide the number of appeals
492 and other cases that involved the nonprofit association and the
493 disposition of those matters. The report must include how many

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494 cases were filed, with the nonprofit association or with another
495 tribunal; the number of cases that the initial decision of the
496 nonprofit association or its member was affirmed, reversed, or
497 otherwise resolved; and a summary of the nature of the issue in
498 dispute.

499 Section 4. Section 1006.20, Florida Statutes, is amended to
500 read:

501 1006.20 Athletics in public K-12 schools.—

502 (1) GOVERNING NONPROFIT ASSOCIATION ~~ORGANIZATION~~.—

503 (a) By July 1, 2017 The Florida High School Athletic
504 Association (FHSAA) is designated as the governing nonprofit
505 organization of athletics in Florida public schools. If the
506 FHSAA fails to meet the provisions of this section, the
507 Commissioner of Education shall designate a nonprofit
508 association ~~organization~~ to govern athletics with the approval
509 of the State Board of Education.

510 (b) The nonprofit association FHSAA is not a state agency
511 as defined in s. 120.52 ~~and. The FHSAA shall be subject to the~~
512 provisions of ss. 1006.15-1006.20 ~~s. 1006.19. Any dues, fees,~~
513 including sanctioning fees, or contest receipts collected by the
514 nonprofit association may not exceed the actual costs to perform
515 the function or duty of the nonprofit association which is the
516 subject or justification for the fees.

517 (c) A private school that wishes to engage in high school
518 athletic competition with a public high school may become a
519 member of the nonprofit association FHSAA. Any high school in
520 the state, including charter schools, virtual schools, and home
521 education cooperatives, may become a member of the nonprofit
522 association FHSAA and participate in the activities of the

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523 nonprofit association. ~~FHSAA.~~ However,

524 1. Membership in the nonprofit association ~~FHSAA~~ is not
525 mandatory for any school.

526 2. The nonprofit association ~~FHSAA~~ may not deny or
527 discourage interscholastic competition between its member
528 schools and schools in this state or any other state which are
529 not members of associations but are members of the National
530 Federation of State High School Associations (NFHS) or affiliate
531 members of the NFHS ~~non-FHSAA member Florida schools~~, including
532 members of another athletic governing organization, and may not
533 take any retributory or discriminatory action against any of its
534 member schools that participate in interscholastic competitions
535 with schools in this state or any other state which are not
536 members of associations but are members of the NFHS or affiliate
537 members of the NFHS ~~competition with non-FHSAA member Florida~~
538 ~~schools.~~

539 3. If a school in this state or any other state which is
540 not a member of an association but is a member of the NFHS or an
541 affiliate member of the NFHS chooses to participate in
542 interscholastic competitions with a member school of the
543 nonprofit association, the nonmember school must comply with all
544 safety and medical requirements included in the requirements of
545 the nonprofit association.

546 4. The nonprofit association ~~FHSAA~~ may not unreasonably
547 withhold its approval of an application to become an affiliate
548 member of the National Federation of State High School
549 Associations submitted by any other organization that governs
550 interscholastic athletic competition in this state.

551 (d) The requirements ~~bylaws~~ of the nonprofit association

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552 ~~FHSAA~~ are the rules by which high school athletic programs in
 553 its member schools, and the students who participate in them,
 554 are governed, unless otherwise specifically provided by statute.

555 (e) For the purposes of this section, the term "high
 556 school" includes grades 6 through 12.

557 (2) REQUIREMENTS ~~ADOPTION OF BYLAWS, POLICIES, OR~~
 558 GUIDELINES. ~~The nonprofit association shall:~~

559 (a) Presume the ~~FHSAA shall adopt bylaws that, unless~~
 560 ~~specifically provided by statute, establish eligibility of~~
 561 ~~requirements for all students to who participate in the~~
 562 interscholastic high school athletic competitions of competition
 563 in its member schools and specify a limited and enumerated list
 564 of violations that may result in the ineligibility of students
 565 to participate in any interscholastic athletic competitions of
 566 its member schools. The requirements must provide for the
 567 following:

568 1. A bylaws governing residence and transfer shall allow
 569 the student remains to be eligible in the school in which he or
 570 she first enrolls each school year or the school in which the
 571 student makes himself or herself a candidate for an athletic
 572 team by engaging in a practice prior to enrolling in the school.

573 2. A student ~~The bylaws shall be eligible to participate in~~
 574 interscholastic athletic competitions ~~also allow the student to~~
 575 ~~be eligible~~ in the school to which the student has transferred
 576 during the school year if the transfer is made by a deadline
 577 established by the nonprofit association ~~FHSAA~~, which may not be
 578 before ~~prior to~~ the date authorized for the beginning of
 579 practice for the sport. If the date authorized for the beginning
 580 of practice is before the first day of the grading period in

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581 which the regular season games begin, the transfer deadline may
582 not be before the first day of such grading period. A member
583 school may allow a student who transfers to the school after the
584 transfer deadline to participate if such participation occurs
585 before the start of regular season competition and does not
586 result in the removal of another student from the particular
587 team, sport, or activity ~~These transfers shall be allowed~~
588 ~~pursuant to the district school board policies in the case of~~
589 ~~transfer to a public school or pursuant to the private school~~
590 ~~policies in the case of transfer to a private school. The~~
591 student shall be eligible in that school so long as he or she
592 remains enrolled in that school. Subsequent eligibility shall be
593 determined and enforced through the nonprofit association's
594 requirements ~~FHSAA's bylaws~~. Requirements governing eligibility
595 and transfer between member schools shall be applied similarly
596 to public school students and private school students. A student
597 may also be permitted to transfer schools for academic and
598 athletic purposes as long as all other applicable eligibility
599 and transfer requirements are met.

600 3. A student may not be considered ineligible to play in
601 interscholastic athletic competitions based upon a violation of
602 the nonprofit association's recruitment policy or otherwise
603 because the student participated:

604 a. On a nonschool team or nonschool team affiliated with
605 the school in which the student ultimately enrolls; or

606 b. In nonschool athletic activities sponsored by a member
607 school of the nonprofit association if, after participating, the
608 student registers for, enrolls in, or applies to attend the
609 sponsoring school.

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610 4. As used in this paragraph, the term:
611 a. "Nonschool athletic activities" includes, but is not
612 limited to, personal instruction sessions and summer camp
613 athletic programs, which are not affiliated with a school.
614 b. "Nonschool teams" includes, but is not limited to, club,
615 travel, grade school, recreational league, and summer camp teams
616 that are not affiliated with a school.
617 (b) ~~The FHSAA shall adopt bylaws that specifically Prohibit~~
618 ~~the recruiting of students for athletic purposes and. The bylaws~~
619 ~~shall prescribe penalties and an appeals process for athletic~~
620 ~~recruiting violations. The restrictions applied to any~~
621 ~~recruiting activity shall be expressly listed and clearly~~
622 ~~defined in the requirements. If it is determined that a school~~
623 ~~has recruited a student in violation of FHSAA bylaws, the~~
624 ~~nonprofit association FHSAA may require the school to~~
625 ~~participate in a higher classification for the sport in which~~
626 ~~the recruited student competes for a minimum of one~~
627 ~~classification cycle, in addition to any other appropriate fine~~
628 ~~and sanction imposed on the school, its coaches, or adult~~
629 ~~representatives who commit violate recruiting violations rules.~~
630 A student may ~~not~~ be declared ineligible only if based on
631 violation of recruiting rules unless the student or parent has
632 committed an act specified in s. 1006.15(4)(c)2. or if the
633 nonprofit association has imposed sanctions against the
634 individuals or member school engaging in recruiting and the
635 student or the parent has committed an act specified in s.
636 1006.15(4)(c)3. The nonprofit association may not limit the
637 competition of a student athlete prospectively for a rule
638 violation perpetrated by the student's school or coaches or

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639 adult representatives. The nonprofit association may not
640 unfairly punish a student athlete for an eligibility violation
641 or recruiting violation perpetrated by a teammate, coach, or
642 administrator. A competition may not be forfeited for an
643 inadvertent eligibility violation unless the coach or a school
644 administrator should have known of the violation. Competitions
645 may not be forfeited for other eligibility violations or
646 recruiting violations in excess of the number of competitions
647 that the coaches and adult representative responsible for the
648 violations are prospectively suspended. The mass distribution of
649 untargeted mailings, electronic mailings, or printed guides or
650 booklets by or on behalf of a member school which include
651 detailed information regarding the member school's
652 interscholastic athletic programs may not be considered
653 violations of the nonprofit association's recruiting or
654 sportsmanship policies ~~falsified any enrollment or eligibility~~
655 ~~document or accepted any benefit or any promise of benefit if~~
656 ~~such benefit is not generally available to the school's students~~
657 ~~or family members or is based in any way on athletic interest,~~
658 ~~potential, or performance.~~

659 (c) ~~The FHSAA shall adopt bylaws that~~ Require all students
660 participating in interscholastic athletic competition or who are
661 candidates for an interscholastic athletic team to
662 satisfactorily pass a medical evaluation each year prior to
663 participating in interscholastic athletic competition or
664 engaging in any practice, tryout, workout, or other physical
665 activity associated with the student's candidacy for an
666 interscholastic athletic team. Such medical evaluation may be
667 administered only by a practitioner licensed under chapter 458,

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668 chapter 459, chapter 460, or s. 464.012, and in good standing
669 with the practitioner's regulatory board. The nonprofit
670 association ~~bylaws~~ shall establish requirements for eliciting a
671 student's medical history and performing the medical evaluation
672 required under this paragraph, which shall include a physical
673 assessment of the student's physical capabilities to participate
674 in interscholastic athletic competition as contained in a
675 uniform preparticipation physical evaluation and history form.
676 The evaluation form shall incorporate the recommendations of the
677 American Heart Association for participation cardiovascular
678 screening and shall provide a place for the signature of the
679 practitioner performing the evaluation with an attestation that
680 each examination procedure listed on the form was performed by
681 the practitioner or by someone under the direct supervision of
682 the practitioner. The form shall also contain a place for the
683 practitioner to indicate if a referral to another practitioner
684 was made in lieu of completion of a certain examination
685 procedure. The form shall provide a place for the practitioner
686 to whom the student was referred to complete the remaining
687 sections and attest to that portion of the examination. The
688 preparticipation physical evaluation form shall advise students
689 to complete a cardiovascular assessment and shall include
690 information concerning alternative cardiovascular evaluation and
691 diagnostic tests. Results of such medical evaluation must be
692 provided to the school. No student shall be eligible to
693 participate in any interscholastic athletic competition or
694 engage in any practice, tryout, workout, or other physical
695 activity associated with the student's candidacy for an
696 interscholastic athletic team until the results of the medical

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697 evaluation have been received and approved by the school.

698 (d) Notwithstanding the provisions of paragraph (c),
699 authorize a student to ~~may~~ participate in an interscholastic
700 athletic competition or be a candidate for an interscholastic
701 athletic team if the parent of the student objects in writing to
702 the student undergoing a medical evaluation because such
703 evaluation is contrary to his or her religious tenets or
704 practices. However, in such case, there shall be no liability on
705 the part of any person or entity in a position to otherwise rely
706 on the results of such medical evaluation for any damages
707 resulting from the student's injury or death arising directly
708 from the student's participation in interscholastic athletics
709 where an undisclosed medical condition that would have been
710 revealed in the medical evaluation is a proximate cause of the
711 injury or death.

712 (e) ~~The FHSAA shall adopt bylaws that~~ Regulate persons who
713 conduct investigations on behalf of the nonprofit association
714 ~~FHSAA. An~~ The bylaws shall include provisions that require an
715 investigator must ~~to~~:

716 1. Undergo level 2 background screening under s. 435.04,
717 establishing that the investigator has not committed any
718 disqualifying offense listed in s. 435.04, unless the
719 investigator can provide proof of compliance with level 2
720 screening standards submitted within the previous 5 years to
721 meet any professional licensure requirements, provided:

722 a. The investigator has not had a break in service from a
723 position that requires level 2 screening for more than 90 days;
724 and

725 b. The investigator submits, under penalty of perjury, an

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726 affidavit verifying that the investigator has not committed any
727 disqualifying offense listed in s. 435.04 and is in full
728 compliance with this paragraph.

729 2. Be appointed as an investigator by the nonprofit
730 association ~~executive director~~.

731 3. Carry a photo identification card that shows the
732 nonprofit association ~~FHSAA~~ name, logo, and the investigator's
733 official title.

734 4. Adhere to the following guidelines:

735 a. Investigate only those alleged violations assigned by
736 the nonprofit association ~~executive director or the board of~~
737 ~~directors~~.

738 b. Conduct interviews on Monday through Friday between the
739 hours of 9 a.m. and 7 p.m. only, unless previously agreed to by
740 the interviewee.

741 c. Allow the parent of any student being interviewed to be
742 present during the interview.

743 d. Search residences or other private areas only with the
744 permission of the nonprofit association ~~executive director~~ and
745 the written consent of the student's parent and only with a
746 parent or a representative of the parent present.

747 (f) ~~The FHSAA shall adopt bylaws that~~ Establish sanctions
748 for coaches, administrators, officials, faculty, athletic staff,
749 or any other individuals engaged in representing, supporting, or
750 promoting the athletic interests of a member school in an
751 official capacity or unofficial, school-sanctioned capacity who
752 have committed major violations ~~of the FHSAA's bylaws and~~
753 ~~policies~~.

754 1. Major violations include, but are not limited to,

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755 knowingly allowing an ineligible student to participate in a
756 contest representing a member school in an interscholastic
757 contest, ~~or~~ committing a violation of the nonprofit
758 association's FHSAA's recruiting or sportsmanship policies, or
759 colluding with a coach, administrator, official, faculty member,
760 athletic staff member, or any other individual engaged in
761 representing, supporting, or promoting the athletic interests of
762 a member school in an official capacity or unofficial, school-
763 sanctioned capacity to prevent member or nonmember schools from
764 scheduling competitions among themselves or from participating
765 in nonathletic events at other member or nonmember schools.

766 2. Sanctions placed upon an individual coach,
767 administrator, official, faculty member, athletic staff member,
768 or any other individual engaged in representing, supporting, or
769 promoting the athletic interests of a member school in an
770 official capacity or unofficial, school-sanctioned capacity may
771 include, but are not limited to, prohibiting or suspending the
772 individual ~~coach~~ from coaching, participating in, or attending
773 any athletic activity sponsored, recognized, or sanctioned by
774 the nonprofit association FHSAA and the member school for which
775 the individual ~~coach~~ committed the violation. If an individual a
776 ~~coach~~ is sanctioned by the nonprofit association FHSAA and the
777 individual ~~coach~~ transfers to another member school, those
778 sanctions remain in full force and effect during the term of the
779 sanction.

780 3. If a member school is assessed a financial penalty as a
781 result of a major violation committed by a coach, administrator,
782 official, faculty member, athletic staff member, or any other
783 individual engaged in representing, supporting, or promoting the

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784 athletic interests of a member school in an official capacity or
785 unofficial, school-sanctioned capacity, the individual
786 ~~committing a major violation, the coach~~ shall reimburse the
787 member school before being allowed to coach, participate in, or
788 attend any athletic activity sponsored, recognized, or
789 sanctioned by the nonprofit association ~~FHSAA~~ and a member
790 school.

791 4. The nonprofit association ~~FHSAA~~ shall establish a due
792 process procedure for coaches, administrators, officials,
793 faculty, athletic staff, or any other individuals engaged in
794 representing, supporting, or promoting the athletic interests of
795 member school in an official capacity or unofficial, school-
796 sanctioned capacity sanctioned under this paragraph which
797 provides the minimum procedural safeguards of ss. 120.569 and
798 120.57 and makes appropriate provisions for the appointment of
799 unbiased and qualified hearing officers, ~~consistent with the~~
800 ~~appeals procedures set forth in subsection (7).~~

801 (g) Provide for third-party arbitration of student
802 eligibility disputes. Student eligibility disputes shall be
803 submitted to a neutral arbitrator selected by the parties and
804 arbitrated in accordance with the rules and procedures of the
805 American Arbitration Association. Each party shall bear the cost
806 of its own representation and any other costs related to its
807 presentation, if any. The decision of the arbitrator shall be
808 final and is not subject to appeal. Any proceeding concerning
809 student eligibility must be held in the county in which the
810 student resides and must be completed within 30 days after
811 receipt of the determination of ineligibility by the appeals
812 committee or by the board of directors of the nonprofit

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813 association, depending on which appeals process the student
814 athlete or member school decides to pursue. The arbitration
815 ~~FHSAA shall adopt bylaws establishing the process for resolving~~
816 eligibility disputes must ~~and standards by which FHSAA~~
817 ~~determinations of eligibility are made. Such bylaws shall~~
818 provide that:

819 1. Ineligibility must be established by clear and
820 convincing evidence;

821 2. Student athletes, parents, and schools must have notice
822 of the initiation of any investigation or other inquiry into
823 eligibility and may present, to the investigator and to the
824 individual making the eligibility determination, any information
825 or evidence that is credible, persuasive, and of a kind
826 reasonably prudent persons rely upon in the conduct of serious
827 affairs;

828 3. An investigator may not determine matters of eligibility
829 but must submit information and evidence to the individual or
830 body designated by the nonprofit association ~~executive director~~
831 ~~or a person designated by the executive director or by the board~~
832 ~~of directors~~ for an unbiased and objective determination of
833 eligibility; and

834 4. A determination of ineligibility must be made in
835 writing, setting forth the findings of fact and specific
836 violation upon which the decision is based.

837 ~~(h) In lieu of bylaws adopted under paragraph (g), the~~
838 ~~FHSAA may adopt bylaws providing as a minimum the procedural~~
839 ~~safeguards of ss. 120.569 and 120.57, making appropriate~~
840 ~~provision for appointment of unbiased and qualified hearing~~
841 ~~officers.~~

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842 ~~(i) The FHSAA bylaws may not limit the competition of~~
843 ~~student athletes prospectively for rule violations of their~~
844 ~~school or its coaches or their adult representatives. The FHSAA~~
845 ~~bylaws may not unfairly punish student athletes for eligibility~~
846 ~~or recruiting violations perpetrated by a teammate, coach, or~~
847 ~~administrator. Contests may not be forfeited for inadvertent~~
848 ~~eligibility violations unless the coach or a school~~
849 ~~administrator should have known of the violation. Contests may~~
850 ~~not be forfeited for other eligibility violations or recruiting~~
851 ~~violations in excess of the number of contests that the coaches~~
852 ~~and adult representatives responsible for the violations are~~
853 ~~prospectively suspended.~~

854 (h)~~(j)~~ The FHSAA shall Adopt guidelines to educate athletic
855 coaches, officials, administrators, and student athletes and
856 their parents of the nature and risk of concussion and head
857 injury.

858 (i)~~(k)~~ The FHSAA shall adopt bylaws or policies that
859 Require the parent of a student who is participating in
860 interscholastic athletic competition or who is a candidate for
861 an interscholastic athletic team to sign and return an informed
862 consent that explains the nature and risk of concussion and head
863 injury, including the risk of continuing to play after
864 concussion or head injury, each year before participating in
865 interscholastic athletic competition or engaging in any
866 practice, tryout, workout, or other physical activity associated
867 with the student's candidacy for an interscholastic athletic
868 team.

869 (j)~~(l)~~ The FHSAA shall adopt bylaws or policies that
870 Require each student athlete who is suspected of sustaining a

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871 concussion or head injury in a practice or competition to be
 872 immediately removed from the activity. A student athlete who has
 873 been removed from an activity may not return to practice or
 874 competition until the student submits to the school a written
 875 medical clearance to return stating that the student athlete no
 876 longer exhibits signs, symptoms, or behaviors consistent with a
 877 concussion or other head injury. Medical clearance must be
 878 authorized by the appropriate health care practitioner trained
 879 in the diagnosis, evaluation, and management of concussions as
 880 defined by the Sports Medicine Advisory Committee of the
 881 nonprofit association ~~Florida High School Athletic Association.~~

882 (k) ~~(m)~~ Establish ~~The FHSAA shall adopt bylaws for the~~
 883 ~~establishment and~~ duties of a sports medicine advisory committee
 884 composed of the following members:

- 885 1. Eight physicians licensed under chapter 458 or chapter
 886 459 with at least one member licensed under chapter 459.
- 887 2. One chiropractor licensed under chapter 460.
- 888 3. One podiatrist licensed under chapter 461.
- 889 4. One dentist licensed under chapter 466.
- 890 5. Three athletic trainers licensed under part XIII of
 891 chapter 468.
- 892 6. One member who is a current or retired head coach of a
 893 high school in the state.

894 (3) GOVERNING STRUCTURE ~~OF THE FHSAA.~~

895 (a) The nonprofit association ~~FHSAA~~ shall operate as a
 896 representative democracy in which the sovereign authority is
 897 within its member schools. ~~Except as provided in this section,~~
 898 ~~the FHSAA shall govern its affairs through its bylaws.~~

899 (b) Each member school, on its annual application for

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900 membership, shall name its official representative to the
901 nonprofit association ~~FHSAA~~. This representative must be either
902 the school principal or his or her designee. That designee must
903 either be an assistant principal or athletic director housed
904 within that same school.

905 (c) The governance structure of the nonprofit association
906 must consist of equal numbers of traditional public school,
907 public school of choice, private school, and home education
908 cooperative representatives and parents of student athletes who
909 are enrolled in such schools or programs. The nonprofit
910 association must also be constituted in a manner that provides
911 for equitable representation among the various regions of the
912 state in which the nonprofit association's member schools are
913 located ~~FHSAA's membership shall be divided along existing~~
914 ~~county lines into four contiguous and compact administrative~~
915 ~~regions, each containing an equal or nearly equal number of~~
916 ~~member schools to ensure equitable representation on the FHSAA's~~
917 ~~board of directors, representative assembly, and appeals~~
918 ~~committees.~~

919 (4) BOARD OF DIRECTORS.—

920 (a) The executive authority of the nonprofit association
921 ~~FHSAA~~ shall be vested in its board of directors. Any entity that
922 appoints members to the board of directors shall examine the
923 ethnic and demographic composition of the board when selecting
924 candidates for appointment and shall, to the greatest extent
925 possible, make appointments that reflect state demographic and
926 population trends. Effective October 1, 2015, the board of
927 directors must consist ~~shall be composed~~ of nine ~~16~~ persons,
928 must reflect the diversity of school choice and state athletic

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929 regions, and must consist of both athletic and private sector
930 members., ~~as follows:~~

931 ~~1. Four public member school representatives, one elected~~
932 ~~from among its public school representative members within each~~
933 ~~of the four administrative regions.~~

934 ~~2. Four nonpublic member school representatives, one~~
935 ~~elected from among its nonpublic school representative members~~
936 ~~within each of the four administrative regions.~~

937 ~~3. Three representatives appointed by the commissioner, one~~
938 ~~appointed from the two northernmost administrative regions and~~
939 ~~one appointed from the two southernmost administrative regions.~~
940 ~~The third representative shall be appointed to balance the board~~
941 ~~for diversity or state population trends, or both.~~

942 ~~4. Two district school superintendents, one elected from~~
943 ~~the two northernmost administrative regions by the members in~~
944 ~~those regions and one elected from the two southernmost~~
945 ~~administrative regions by the members in those regions.~~

946 ~~5. Two district school board members, one elected from the~~
947 ~~two northernmost administrative regions by the members in those~~
948 ~~regions and one elected from the two southernmost administrative~~
949 ~~regions by the members in those regions.~~

950 ~~6. The commissioner or his or her designee from the~~
951 ~~department executive staff.~~

952 (b) A quorum of the board of directors shall consist of its
953 nine members.

954 ~~(c) The board of directors shall elect a president and a~~
955 ~~vice president from among its members. These officers shall also~~
956 ~~serve as officers of the FHSAA.~~

957 ~~(d) Members of the board of directors shall serve terms of~~

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958 ~~3 years and are eligible to succeed themselves only once. A~~
959 ~~member of the board of directors, other than the commissioner or~~
960 ~~his or her designee, may serve a maximum of 6 consecutive years.~~
961 ~~The FHSAA's bylaws shall establish a rotation of terms to ensure~~
962 ~~that a majority of the members' terms do not expire~~
963 ~~concurrently.~~

964 ~~(c)(e)~~ The authority and duties of the board of directors,
965 acting as a body and in accordance with the FHSAA's bylaws, are
966 as follows:

967 1. To act as the incorporated nonprofit association's
968 ~~FHSAA's~~ board of directors and to fulfill its obligations as
969 required by the nonprofit association's ~~FHSAA's~~ charter and
970 articles of incorporation.

971 2. To establish such guidelines, regulations, policies, and
972 procedures as are authorized by the requirements ~~bylaws~~.

973 3. To employ a ~~an~~ nonprofit association ~~FHSAA~~ executive
974 director, who shall have the authority to waive the requirements
975 ~~bylaws~~ of the nonprofit association ~~FHSAA~~ in order to comply
976 with statutory changes. The executive director's salary shall be
977 no greater than that set by law for the Governor of this state.
978 The executive director is not entitled to per diem and travel
979 expenses in excess of the state rate provided for state
980 employees under s. 112.061.

981 4. To levy annual dues and other fees and to set the
982 percentage of contest receipts to be collected by the nonprofit
983 association in accordance with s. 1006.20 ~~FHSAA~~.

984 5. To approve the budget of the nonprofit association
985 ~~FHSAA~~.

986 6. To organize and conduct statewide interscholastic

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987 competitions, which may or may not lead to state championships,
988 and to establish the terms and conditions for these
989 competitions.

990 7. To act as an administrative board in the interpretation
991 of, ~~and final decision on,~~ all questions and appeals arising
992 from the directing of interscholastic athletics of member
993 schools.

994 (5) REPRESENTATIVE ASSEMBLY.—

995 (a) The legislative authority of the nonprofit association
996 ~~FHSAA~~ is vested in its representative assembly.

997 (b) The representative assembly shall be composed of the
998 following:

999 1. An equal number of member school representatives from
1000 each of the four administrative regions.

1001 2. Four district school superintendents, one elected from
1002 each of the four administrative regions by the district school
1003 superintendents in their respective administrative regions.

1004 3. Four district school board members, one elected from
1005 each of the four administrative regions by the district school
1006 board members in their respective administrative regions.

1007 4. The commissioner or his or her designee from the
1008 department executive staff.

1009 (c) The nonprofit association's requirements ~~FHSAA's bylaws~~
1010 shall establish the number of member school representatives to
1011 serve in the representative assembly from each of the four
1012 administrative regions and shall establish the method for their
1013 selection.

1014 (d) No member of the board of directors other than the
1015 commissioner or his or her designee can serve in the

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1016 representative assembly.

1017 (e) The representative assembly shall elect a chairperson
1018 and a vice chairperson from among its members.

1019 (f) Elected members of the representative assembly shall
1020 serve terms of 2 years and are eligible to succeed themselves
1021 for two additional terms. An elected member, other than the
1022 commissioner or his or her designee, may serve a maximum of 6
1023 consecutive years in the representative assembly.

1024 (g) A quorum of the representative assembly consists of one
1025 more than half of its members.

1026 (h) The authority of the representative assembly is limited
1027 to its sole duty, which is to consider, adopt, or reject any
1028 proposed amendments to the nonprofit association's requirements
1029 ~~FHSAA's bylaws~~.

1030 (i) The representative assembly shall meet as a body
1031 annually. A two-thirds majority of the votes cast by members
1032 present is required for passage of any proposal.

1033 (6) PUBLIC LIAISON ADVISORY COMMITTEE.—

1034 (a) The nonprofit association ~~FHSAA~~ shall establish,
1035 sustain, fund, and provide staff support to a public liaison
1036 advisory committee composed of the following:

- 1037 1. The commissioner or his or her designee.
- 1038 2. A member public school principal.
- 1039 3. A member private school principal.
- 1040 4. A member school principal who is a member of a racial
1041 minority.
- 1042 5. An active athletic director.
- 1043 6. An active coach, who is employed full time by a member
1044 school.

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- 1045 7. A student athlete.
- 1046 8. A district school superintendent.
- 1047 9. A district school board member.
- 1048 10. A member of the Florida House of Representatives.
- 1049 11. A member of the Florida Senate.
- 1050 12. A parent of a high school student.
- 1051 13. A member of a home education association.
- 1052 14. A representative of the business community.
- 1053 15. A representative of the news media.
- 1054 (b) No member of the board of directors, committee on
- 1055 appeals, or representative assembly is eligible to serve on the
- 1056 public liaison advisory committee.
- 1057 (c) The public liaison advisory committee shall elect a
- 1058 chairperson and vice chairperson from among its members.
- 1059 (d) The authority and duties of the public liaison advisory
- 1060 committee are as follows:
- 1061 1. To act as a conduit through which the general public may
- 1062 have input into the decisionmaking process of the nonprofit
- 1063 association ~~FHSAA~~ and to assist the nonprofit association ~~FHSAA~~
- 1064 in the development of procedures regarding the receipt of public
- 1065 input and disposition of complaints related to high school
- 1066 athletic and competition programs.
- 1067 2. To conduct public hearings annually in each of the four
- 1068 administrative regions during which interested parties may
- 1069 address issues regarding the effectiveness of the rules,
- 1070 operation, and management of the nonprofit association ~~FHSAA~~.
- 1071 3. To conduct an annual evaluation of the nonprofit
- 1072 association ~~FHSAA~~ as a whole and present a report of its
- 1073 findings, conclusion, and recommendations to the board of

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1074 directors, to the commissioner, and to the respective education
1075 committees of the Florida Senate and the Florida House of
1076 Representatives. The recommendations must delineate policies and
1077 procedures that will improve the implementation and oversight of
1078 high school athletic programs by the nonprofit association
1079 ~~FHSAA~~.

1080 (e) The public liaison advisory committee shall meet four
1081 times annually. Additional meetings may be called by the
1082 committee chairperson, the nonprofit association ~~FHSAA~~
1083 president, or the nonprofit association ~~FHSAA~~ executive
1084 director.

1085 (7) APPEALS.—

1086 (a) The nonprofit association ~~FHSAA~~ shall establish a
1087 procedure of due process which ensures each student the
1088 opportunity to appeal an unfavorable ruling with regard to his
1089 or her eligibility to compete. The initial appeal shall be made
1090 to a committee on appeals in ~~within~~ the administrative region in
1091 which the student lives within 10 days after the unfavorable
1092 ruling with regard to the student's eligibility to compete. The
1093 nonprofit association's requirements ~~FHSAA's bylaws~~ shall
1094 establish the number, size, and composition of each committee on
1095 appeals.

1096 (b) No member of the board of directors is eligible to
1097 serve on a committee on appeals.

1098 (c) Members of a committee on appeals shall serve terms of
1099 3 years and are eligible to succeed themselves only once. A
1100 member of a committee on appeals may serve a maximum of 6
1101 consecutive years. The nonprofit association's requirements
1102 ~~FHSAA's bylaws~~ shall establish a rotation of terms to ensure

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1103 that a majority of the members' terms do not expire
1104 concurrently.

1105 (d) The authority and duties of a committee on appeals
1106 shall be to consider requests by member schools seeking
1107 exceptions to requirements ~~bylaws~~ and regulations, to hear undue
1108 hardship eligibility cases filed by member schools on behalf of
1109 student athletes, and to hear appeals filed by member schools or
1110 student athletes.

1111 (e) A student athlete or member school that receives an
1112 unfavorable ruling from a committee on appeals may:

1113 1. shall be entitled to Appeal that decision to the board
1114 of directors. The appeal hearing must be held within 30 days
1115 after the determination of ineligibility by the committee on
1116 appeals and must take place within the county of the school in
1117 which the student attends school at its next regularly scheduled
1118 ~~meeting or called meeting.~~ The board of directors shall have the
1119 authority to uphold, reverse, or amend the decision of the
1120 committee on appeals; ~~and.~~

1121 2. In addition, after a decision is made by the board of
1122 directors, appeal the decision of the board through the use of
1123 third-party arbitration if the athlete or member school so
1124 chooses ~~In all such cases, the decision of the board of~~
1125 ~~directors shall be final.~~

1126 (f) The nonprofit association ~~FHSAA~~ shall expedite the
1127 appeals process on determinations of ineligibility so that
1128 disposition of the appeal can be made before the end of the
1129 applicable sports season, if possible.

1130 (g) In any appeal from a decision on eligibility made by
1131 the committee on appeals ~~executive director or a designee,~~ a

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1132 school or student athlete filing the appeal must be permitted to
1133 present information and evidence that were ~~was~~ not available at
1134 the time of the initial determination or if the determination
1135 was not made by an unbiased, objective individual using a
1136 process allowing full due process rights to be heard and to
1137 present evidence. If evidence is presented on appeal, a de novo
1138 decision must be made by the committee or board hearing the
1139 appeal, or the determination may be suspended and the matter
1140 remanded for a new determination based on all the evidence. If a
1141 de novo decision is made on appeal, the decision must be made in
1142 writing, setting forth the findings of fact and specific
1143 violation upon which the decision is based. If a de novo
1144 decision is not required, the decision appealed must be set
1145 aside if the decision on ineligibility was not based on clear
1146 and convincing evidence. Any further appeal shall be considered
1147 on a record that includes all evidence presented.

1148 (8) AMENDMENT OF REQUIREMENTS ~~BYLAWS~~.—Each member school
1149 representative, the board of directors acting as a whole or as
1150 members acting individually, any advisory committee acting as a
1151 whole to be established by the nonprofit association ~~FHSAA~~, and
1152 the nonprofit association's ~~FHSAA's~~ executive director are
1153 empowered to propose amendments to the requirements ~~bylaws~~. Any
1154 other individual may propose an amendment by securing the
1155 sponsorship of any of the aforementioned individuals or bodies.
1156 All proposed amendments must be submitted directly to the
1157 representative assembly for its consideration. The
1158 representative assembly, while empowered to adopt, reject, or
1159 revise proposed amendments, may not, in and of itself, as a body
1160 be allowed to propose any amendment for its own consideration.

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1161 Section 5. Subsection (11) of section 1002.33, Florida
1162 Statutes, is amended to read:

1163 1002.33 Charter schools.—

1164 (11) PARTICIPATION IN INTERSCHOLASTIC EXTRACURRICULAR
1165 ACTIVITIES.—A charter school student is eligible to participate
1166 in an interscholastic extracurricular activity at the public
1167 school to which the student would be otherwise assigned to
1168 attend pursuant to s. 1006.15(4)(f) ~~s. 1006.15(3)(d)~~.

1169 Section 6. The Division of Law Revision and Information is
1170 directed to replace the terms "Florida High School Athletic
1171 Association," "Florida High School Athletic Association
1172 (FHSAA)," and "FHSAA" wherever they appear in the Florida
1173 Statutes with the term "nonprofit association as designated by
1174 the Commissioner of Education under s. 1006.20."

1175 Section 7. This act shall take effect July 1, 2015.