

By Representative Andrews

1 A bill to be entitled
2 An act relating to high school athletics;
3 directing the public schools to operate a
4 nonprofit organization to govern high school
5 athletic programs; providing for the structure,
6 duties, and responsibilities of the
7 organization; providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. A nonprofit organization shall operate,
12 govern, and oversee high school athletic programs in the
13 public school system. The organization is not to be a state
14 agency as defined in s. 120.52. A nonpublic school that wishes
15 to engage in high school athletic competition with a public
16 high school may become a member of the organization. The
17 bylaws of the organization are to be the rules by which high
18 school athletic programs in its member schools, and the
19 students who participate in them, are governed, unless
20 otherwise specifically prohibited by statute.

21 Section 2. The organization shall adopt bylaws that,
22 unless specifically prohibited by statute, establish
23 eligibility requirements for all students who participate in
24 high school athletic competition in its member schools. The
25 bylaws governing residence and transfer must allow a student
26 to be eligible at the first school to which the student is
27 assigned by his or her local school board during a school
28 year. If a student participates in an athletic practice before
29 the beginning of the school year, then that student is
30 eligible at that school if he or she is authorized by the
31 school board to attend that school. The student is eligible at

1 that school regardless of where the student lives, with whom
2 the student lives, or which school the student attended the
3 previous school year.

4 Section 3. The governing structure of the organization
5 is as follows:

6 (1) The organization shall operate as a representative
7 democracy in which the sovereign authority is within its
8 member schools. Except as provided in this act, the
9 organization shall govern its affairs through its bylaws.

10 (2) Each member school, on its annual application for
11 membership, shall name its official representative to the
12 organization. This representative must be either the building
13 principal or his or her designee. That designee must either be
14 an assistant principal or athletic director housed within that
15 same school.

16 (3) The organization's membership shall be divided
17 along existing county lines into four contiguous and compact
18 administrative sections, each containing an equal or nearly
19 equal number of member schools.

20 Section 4. (1) There shall be a sectional council in
21 each of the four administrative sections. Each sectional
22 council shall be composed of five persons, as follows:

23 (a) Three member-school representatives elected by all
24 member-school representatives within the administrative
25 section, at least one of which must be a public member-school
26 representative and at least one of which must be a nonpublic
27 member-school representative.

28 (b) One district school superintendent or district
29 school administrator elected by all district school
30 superintendents within the administrative section; and
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1 (c) One county school board member elected by all
2 county school board members within the administrative section.

3 (d) A quorum of the sectional council shall consist of
4 three persons.

5 (2) Members of the sectional council are to be elected
6 for terms of 3 years and are eligible to succeed themselves
7 only once. The maximum number of consecutive years an
8 individual may serve on the sectional council in a section is
9 6.

10 (3) Each sectional council shall elect a chairperson
11 and vice chairperson from among its members.

12 (4) Each sectional council shall meet monthly August
13 through May.

14 (5) The authority and duties of the sectional council
15 are to consider requests by member schools seeking exceptions
16 to bylaws and regulations, and to hear appeals filed by member
17 schools.

18 Section 5. (1) An association council shall be formed
19 to oversee the four sectional councils. The association
20 council shall be composed of 15 persons, as follows:

21 (a) Four public member-school representatives, one
22 appointed by each of the four sectional councils from among
23 its public school representative members.

24 (b) Four private member-school representatives, one
25 appointed by each of the four sectional councils from among
26 its private school representative members.

27 (c) Two representatives appointed by the Commissioner
28 of Education, one appointed from the two northernmost
29 administrative sections and one appointed from the two
30 southernmost administrative sections.

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1 (d) Two district school superintendents, one elected
2 from the two northernmost sectional councils, and one elected
3 from the two southernmost sectional councils.

4 (e) Two county school board members, one elected from
5 the two northernmost sectional councils and one elected from
6 the two southernmost sectional councils.

7 (f) The Commissioner of Education or his or her
8 designee from the Department of Education executive staff.

9 (2) A quorum of the association council shall consist
10 of nine members.

11 (3) The association council shall elect a president
12 and a vice president from among its members. These officers
13 shall also serve as officers of the organization.

14 (4) Members of the association council appointed by
15 their respective sectional councils shall serve terms that run
16 concurrent to their terms on their respective sectional
17 councils, and shall be eligible to succeed themselves only
18 once. Other association council members shall serve terms of 3
19 years, and shall be eligible to succeed themselves only once.
20 The maximum number of consecutive years a member of the
21 association council, other than the Commissioner of Education
22 or his or her designee, may serve is 6.

23 (5) The authority and duties of the association
24 council, acting as a body and in accordance with association
25 bylaws, are as follows:

26 (a) To act as the incorporated organization's board of
27 directors and to fulfill the obligations of such as required
28 by the organization's charter and articles of incorporation;

29 (b) To interpret the bylaws, guidelines, regulations,
30 policies, and procedures;

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1 (c) To establish such guidelines, regulations,
2 policies, and procedures as empowered by the bylaws;

3 (d) To provide a commissioner for the organization;

4 (e) To levy annual dues and other fees and to set the
5 percentage of contest receipts which is to be collected by the
6 organization;

7 (f) To approve the budget of the organization;

8 (g) To organize and conduct such statewide
9 interscholastic activities as may or may not lead to state
10 championships and to establish the terms and conditions for
11 these activities; and

12 (h) To act as an administrative board in the
13 interpretation of and final decision on all questions and
14 appeals arising from the directing of interscholastic
15 athletics of member schools.

16 (6) The association council shall meet five times
17 annually. Additional meetings may be called by the president.

18 Section 6. (1) The legislative authority of the
19 organization is vested in its representative assembly.

20 (2) The representative assembly shall be composed of
21 the following:

22 (a) One member school representative elected from each
23 of the basic athletic districts to be determined by the
24 organization for the purpose of determining state championship
25 tournament qualifiers in the several senior high school
26 classifications, and two middle-school-junior-high
27 representatives, one elected from the two northernmost
28 administrative sections and one elected from the two
29 southernmost administrative sections;

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1 (b) Four district school superintendents, one elected
2 from each of the four sections by the district school
3 superintendents in their respective administrative sections;

4 (c) Four county school board members, one elected from
5 each of the four sections by the county school board members
6 in their respective administrative sections; and

7 (d) The Commissioner of Education or his or her
8 designee from the Department of Education executive staff.

9 (3) Elected members of the association council and the
10 sectional councils are not eligible to serve on the
11 representative assembly.

12 (4) The representative assembly shall elect a
13 chairperson and a vice chairperson from among its members.

14 (5) Elected members of the representative assembly
15 shall serve terms of 2 years and are eligible to succeed
16 themselves for two additional terms. The maximum number of
17 consecutive years an elected member may serve in the
18 representative assembly is 6.

19 (6) A quorum of the representative assembly consists
20 of one more than half of its members.

21 (7) The authority of the representative assembly is
22 limited to its sole duty which is to consider, adopt, or
23 reject any proposed amendments to the bylaws.

24 (8) The representative assembly shall meet as a body
25 twice annually. A two-thirds majority of the votes cast by
26 members present is required for passage of any proposal.

27 Section 7. (1) The organization shall establish,
28 sustain, fund, and provide staff support to a public liaison
29 advisory committee composed of the following:

30 (a) The Commissioner of Education or his or her
31 designee;

- 1 (b) A member public school principal;
2 (c) A member private school principal;
3 (d) A member school principal who is a member of a
4 racial minority;
5 (e) An active athletic director;
6 (f) An active coach, who is employed full-time by a
7 member school;
8 (g) A student-athlete;
9 (h) A district school superintendent;
10 (i) A district school board member;
11 (j) A member of the Florida House of Representatives;
12 (k) A member of the Florida Senate;
13 (l) A parent of a high school student;
14 (m) A member of a home education association;
15 (n) A representative of the business community; and
16 (o) A representative of the news media.
17 (2) No member of the association council, any
18 sectional council, or the representative assembly is eligible
19 to serve on the public liaison advisory committee.
20 (3) The public liaison advisory committee shall elect
21 a chairperson and vice chairperson from among its members.
22 (4) The authority and duties of the public liaison
23 advisory committee are as follows:
24 (a) To act as a conduit through which the general
25 public may have input into the decision-making process of the
26 organization, and to assist the organization in the
27 development of procedures regarding the receipt of public
28 input and disposition of complaints related to high school
29 athletic programs;
30 (b) To annually conduct public hearings in each of the
31 four sections during which interested parties may address

1 issues regarding the effectiveness of the rules, operation,
2 and management of the organization; and

3 (c) To conduct an annual evaluation of the
4 organization as a whole and present a report of its findings,
5 conclusions, and recommendations to the association council,
6 to the Commissioner of Education, and to the respective
7 education committees of the Florida House of Representatives
8 and the Florida Senate. The recommendations must delineate
9 policies and procedures that will improve the implementation
10 and oversight of high school athletic programs by the
11 organization.

12 (5) The public liaison advisory committee shall meet
13 four times annually. Additional meetings may be called by the
14 committee chairperson, the organization president, or the
15 organization commissioner.

16 Section 8. A student-athlete or member school that
17 receives an unfavorable ruling from a sectional council is
18 entitled to appeal that decision to the association council at
19 its next regularly scheduled meeting. When an appeal is filed,
20 all members of the association council who are members of the
21 sectional council in the section from which the appeal
22 originates shall recuse themselves from the proceedings. The
23 association council has the authority to uphold, reverse, or
24 amend the decision of the sectional council by majority vote.
25 In all such cases, the decision of the association council is
26 final.

27 Section 9. Each member school representative, the
28 sectional councils acting as a whole or as members acting
29 individually, the association council acting as a whole or as
30 members acting individually, any advisory committee acting as
31 a whole to be established by the organization, and the

1 commissioner are empowered to propose amendments to the
2 bylaws. Any other individual may propose an amendment by
3 securing the sponsorship of any of the aforementioned
4 individuals or bodies. All proposed amendments must be
5 submitted directly to the representative assembly for its
6 consideration. The representative assembly, while empowered to
7 adopt, reject, or revise proposed amendments, may not, in and
8 of itself, as a body be allowed to propose any amendment for
9 its own consideration.

10 Section 10. This act shall take effect upon becoming a
11 law.

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14 SENATE SUMMARY

15 Directs that a nonprofit organization be created to
16 govern high school athletics. Provides for the structure,
17 duties, and responsibilities of the organization.
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