

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1034

SPONSOR: Senator Gutman

SUBJECT: High School Athletics

DATE: April 13, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	White	O'Farrell	ED	Favorable/CS
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill specifies that a student who transfers to a new school will be ineligible to participate in athletic competition for one year after the transfer, except under several circumstances listed in the bill.

This bill amends section 232.61 of the Florida Statutes.

II. Present Situation:

The Florida High School Activities Association is a nonprofit organization founded in 1920. Membership is voluntary, but once a school joins the association, the school is subject to regulation and oversight by the association.

In s.1, ch. 97-53, L.O.F., the 1997 Legislature recognized the Florida High School Activities Association as the governing body for interscholastic athletics in Florida, provided the association revamps its governmental structure as required in the statute. Otherwise, the Commissioner of Education is required to designate a nonprofit organization to assume this function. The association is in the process of making the necessary changes to comply. Nonpublic schools are authorized by statute to join the organization if such schools wish to compete with public schools.

Section 232.61, F.S., requires the Florida High School Activities Association to adopt bylaws that, unless otherwise prescribed by statute, establish eligibility requirements for all students (in member schools) participating in high school athletics. The bylaws must allow a student to be eligible in the school in which he or she first enrolls each school year, or makes himself or herself eligible as a candidate for an athletic team by engaging in a practice prior to enrolling in the member school. The student is eligible in that school as long as he or she remains enrolled in that school. Subsequent eligibility is determined and enforced via the bylaws. The statute specifically provides that eligibility determination cannot be based on where or with whom the student lived,

or on which school the student attended, in the previous year. The bylaws must specifically prohibit recruiting and must prescribe penalties and an appeals process for recruiting violations.

According to staff at the association, s. 232.61, F.S., is designed to address issues related to public school choice, not to allow schools to recruit students. In 1997-1998, the association sanctioned a high school for recruiting student athletes, who were attending other schools, by providing them with addresses in the geographic area zoned for the school.

III. Effect of Proposed Changes:

Section 1

Amends s. 232.61, F.S., to specify that a student who transfers to a new school will be ineligible to participate in athletic competition for one year after the transfer unless the student transfers for reasons unrelated to athletics. The acceptable reasons are listed in the bill:

- The student's parent or guardian relocates to a different school zone.
- The student moves to or from a home education program.
- The student transfers because of an opportunity scholarship, district reassignment due to boundary changes, a JROTC program, or a special academic offering not available at the original school.

The bill also removes from the law the statement that where the student lives or with whom the student lives may not be a factor in determining eligibility.

Section 2

Effective date upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
