

STORAGE NAME: h0073z.edk
DATE: May 15, 2000

****AS PASSED BY THE LEGISLATURE****
CHAPTER #: 2000-121, Laws of Florida

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
EDUCATION K-12
FINAL ANALYSIS**

BILL #: HB 73 (Passed as SB 92)
RELATING TO: Students/ Extracurricular Activities
SPONSOR(S): Representative Boyd
TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) EDUCATION K-12 YEAS 10 NAYS 0
 - (2) EDUCATION APPROPRIATIONS YEAS 9 NAYS 1
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

HB 73 revises student standards for participation in interscholastic extracurricular activities (extracurricular activities). In order to participate in extracurricular activities, a student needs a 2.0 average in the semester preceding participation *or* a cumulative 2.0. A student is not required to maintain a *cumulative* 2.0 average until his or her junior and senior year. The bill requires a contractual agreement to be made if a student's GPA falls below the minimum cumulative 2.0 required for graduation. The contract must require the student to attend summer school or its graded equivalent.

HB 73 revises requirements for home education students to participate in extracurricular activities. Home education students are allowed to participate at the public school to which they are assigned or at which the student could choose to attend pursuant to open enrollment provisions. The bill removes a requirement from FHSAA's bylaws that initial eligibility for participation in athletics not be based on where or with whom the student lived or which school the student attended in the previous year.

There is no substantial fiscal impact associated with this bill.

The effective date of the bill is upon becoming law.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|--|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

If a student's cumulative GPA falls below a 2.0, the student must enter into an academic performance contract with the school district, the governing organization for athletics, and the student's parent or guardian. This creates new responsibilities for all who are involved, both governmental and individual to ensure that the terms of the contract are met.

B. PRESENT SITUATION:

GPA Requirements for Extracurricular Activities

Section 232.425, F.S., prescribes student standards for participation in interscholastic extracurricular student activities. To be eligible to participate, a student entering the 9th grade during the 1997-1998 school year and thereafter must maintain a *cumulative* GPA of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required for graduation. Students who entered the 9th grade prior to the 1997-1998 school year must maintain a *cumulative* GPA of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required for graduation, that are taken after July 1, 1997, or have an overall cumulative grade point average of 2.0 or above. Prior to 1997, participation was contingent on maintaining a 1.5 GPA and passing five subjects for the grading period immediately preceding participation; except that student eligibility for the first grading period of each new school year was based on passing five subjects and maintaining the required grade point average the previous school year, including subjects completed during the interim summer school session.

Home Education Student Participation

Section 232.425, F.S., was amended in 1996 by HB 2505, known as the "Craig Dickinson Act" (ch. 96-174, L.O.F.) to establish provisions for participation by home education students in interscholastic extracurricular activities at public and nonpublic schools.

Nonpublic and Public School Student Participation

Present law does not provide that nonpublic school students may participate in extracurricular activities at public schools, and vice versa.

FHSAA Bylaws

Section 232.61, F.S., requires the Florida High School Activities Association (FHSAA) 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 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 lives, 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.

C. EFFECT OF PROPOSED CHANGES:

GPA Requirements for Extracurricular Activities

HB 73 revises student standards for participation in interscholastic extracurricular activities (extracurricular activities). In order to participate in extracurricular activities, a student needs a 2.0 average in the semester preceding participation *or* a cumulative 2.0. A student is not required to maintain a *cumulative* 2.0 average until his or her junior and senior year. The bill requires a contractual agreement to be made if a student's GPA falls below the minimum cumulative 2.0 GPA. The contract must require the student to attend summer school or its graded equivalent.

Home Education Student Participation

HB 73 revises requirements for participation by home education students by stating that a student who is home educated is only eligible to participate in extracurricular activities at:

- the public school to which the student would be assigned, according to district school attendance policies, or,
- the public school to which the student could choose to attend pursuant to district or interdistrict controlled open enrollment provisions.

FHSAA Bylaws

HB 73 removes a requirement from FHSAA's bylaws that initial eligibility for participation in athletics not be based on where or with whom the student lived or which school the student attended in the previous year.

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Amends s. 232.425, F.S., relating to student standards for participation in interscholastic extracurricular activities, to delete intent language regarding providing a mechanism for all students to participate in interscholastic extracurricular activities, to revise provisions relating to the grade point average required for participation in interscholastic extracurricular student activities, to require a contract to be executed upon a student's falling below a certain cumulative grade point average, and to revise requirements for home education students to participate in extracurricular activities

Section 2: Amends s. 232.61, F.S., relating to the governing organization for athletics, to remove a requirement that initial eligibility for participation in extracurricular

activities not be based on where or with whom the student lived or on which school the student attended in the previous year.

Section 3: Specifies that the effective date of the bill is upon becoming a law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that counties or municipalities have to raise in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On Wednesday, December 8, 1999, the Committee on Education K-12 adopted one amendment clarifying that an academic performance contract is between the student, the school district, the *appropriate governing association*, and the student's parent or guardian.

This amendment has no fiscal impact.

On February 24, 2000, the Education Appropriations Committee considered HB 73, as amended by the Committee on Education K-12, and passed it with one member voting "no".

On March 29, 2000, HB 73 was laid on the table in the House. A companion bill, SB 92 passed the House as amended on March 29, 2000, [YEAS 116, NAYS 0]. On April 6, 2000, the Senate concurred with the amended bill [YEAS 37, NAYS 0]. The amended bill restores current statutory language to allow students with cumulative 2.0 GPAs to participate in extracurricular activities. SB 92 was presented to the Governor on April 13, 2000, and on April 20, 2000, the bill was signed into law by the Governor. This bill analysis applies to SB 92.

VII. SIGNATURES:

COMMITTEE ON EDUCATION K-12:

Prepared by:

Sarah A. Clark

Staff Director:

Patricia W. Levesque

AS REVISED BY THE COMMITTEE ON Education Appropriations:

Prepared by:

William Cecil Golden

Staff Director:

John Newman

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FINAL ANALYSIS PREPARED BY THE COMMITTEE ON EDUCATION K-12:

Prepared by:

Staff Director:

Patricia W. Levesque

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