

1 Participation in a comprehensive extracurricular and academic
2 program contributes to student development of the social and
3 intellectual skills necessary to become a well-rounded adult.
4 As used in this section, the term "extracurricular" means any
5 school-authorized or education-related activity, including,
6 but not limited to, interscholastic activities, occurring
7 during or outside the regular instructional school day. For
8 purposes of this section, a student shall not be precluded
9 from receiving tutoring, performing community service, or
10 attending school athletic, social, and academic functions.
11 However, a student who is not eligible, pursuant to this
12 section, to participate in extracurricular activities shall
13 not perform at school functions or travel with a school team,
14 band, club, or other organization to any event where the group
15 is to compete or perform. This section does not prohibit a
16 student who is enrolled in a class designated by the student
17 course code directory provided by the Department of Education
18 from performing or traveling to compete or perform as part of
19 the class curriculum.

20 (3)(a) To be eligible to participate in
21 ~~interscholastic~~ extracurricular student activities, a student
22 must:

23 1. Maintain a grade point average of 2.0 or above on a
24 4.0 scale, or its equivalent, in the previous semester or a
25 cumulative grade point average of 2.0 or above on a 4.0 scale,
26 or its equivalent, in the courses required by s. 1003.43(1).

27 2. Execute and fulfill the requirements of an academic
28 performance contract between the student, the district school
29 board, the appropriate governing association, and the
30 student's parents, if the student's cumulative grade point
31 average falls below 2.0, or its equivalent, on a 4.0 scale in

1 the courses required by s. 1003.43(1) or, for students who
2 entered the 9th grade prior to the 1997-1998 school year, if
3 the student's cumulative grade point average falls below 2.0
4 on a 4.0 scale, or its equivalent, in the courses required by
5 s. 1003.43(1) that are taken after July 1, 1997. At a minimum,
6 the contract must require that the student attend summer
7 school, or its graded equivalent, between grades 9 and 10 or
8 grades 10 and 11, as necessary.

9 3. Have a cumulative grade point average of 2.0 or
10 above on a 4.0 scale, or its equivalent, in the courses
11 required by s. 1003.43(1) during his or her junior or senior
12 year.

13 4. Maintain satisfactory conduct and, if a student is
14 convicted of, or is found to have committed, a felony or a
15 delinquent act which would have been a felony if committed by
16 an adult, regardless of whether adjudication is withheld, the
17 student's participation in ~~interscholastic~~ extracurricular
18 activities is contingent upon established and published
19 district school board policy.

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21 District school boards are encouraged to establish a process
22 to waive the requirements of this paragraph based on
23 extenuating circumstances of an individual student. The State
24 Board of Education shall approve each school district's waiver
25 process prior to implementation.

26 (b) Any student who is exempt from attending a full
27 school day based on rules adopted by the district school board
28 for double session schools or programs, experimental schools,
29 or schools operating under emergency conditions must maintain
30 the grade point average required by this section and pass each
31 class for which he or she is enrolled. The establishment and

1 approval of the waiver process pursuant to paragraph (a) shall
2 apply to the requirements of this paragraph.

3 (c) An individual home education student is eligible
4 to participate at the public school to which the student would
5 be assigned according to district school board attendance area
6 policies or which the student could choose to attend pursuant
7 to district or interdistrict controlled open enrollment
8 provisions, or may develop an agreement to participate at a
9 private school, in the ~~interscholastic~~ extracurricular
10 activities of that school, provided the following conditions
11 are met:

12 1. The home education student must meet the
13 requirements of the home education program pursuant to s.
14 1002.41.

15 2. During the period of participation at a school, the
16 home education student must demonstrate educational progress
17 as required in paragraph (b) in all subjects taken in the home
18 education program by a method of evaluation agreed upon by the
19 parent and the school principal which may include: review of
20 the student's work by a certified teacher chosen by the
21 parent; grades earned through correspondence; grades earned in
22 courses taken at a community college, university, or trade
23 school; standardized test scores above the 35th percentile; or
24 any other method designated in s. 1002.41.

25 3. The home education student must meet the same
26 residency requirements as other students in the school at
27 which he or she participates.

28 4. The home education student must meet the same
29 standards of acceptance, behavior, and performance as required
30 of other students in extracurricular activities.

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1 5. The student must register with the school his or
2 her intent to participate in ~~interscholastic~~ extracurricular
3 activities as a representative of the school before the
4 beginning date of the season for the activity in which he or
5 she wishes to participate. A home education student must be
6 able to participate in curricular activities if that is a
7 requirement for an extracurricular activity.

8 6. A student who transfers from a home education
9 program to a public school before or during the first grading
10 period of the school year is academically eligible to
11 participate in ~~interscholastic~~ extracurricular activities
12 during the first grading period provided the student has a
13 successful evaluation from the previous school year, pursuant
14 to subparagraph 2.

15 7. Any public school or private school student who has
16 been unable to maintain academic eligibility for participation
17 in ~~interscholastic~~ extracurricular activities is ineligible to
18 participate in such activities as a home education student
19 until the student has successfully completed one grading
20 period in home education pursuant to subparagraph 2. to become
21 eligible to participate as a home education student.

22 (d) An individual charter school student pursuant to
23 s. 1002.33 is eligible to participate at the public school to
24 which the student would be assigned according to district
25 school board attendance area policies or which the student
26 could choose to attend, pursuant to district or interdistrict
27 controlled open-enrollment provisions, in any ~~interscholastic~~
28 extracurricular activity of that school, unless such activity
29 is provided by the student's charter school, if the following
30 conditions are met:
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1 1. The charter school student must meet the
2 requirements of the charter school education program as
3 determined by the charter school governing board.

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

7 3. The charter school student must meet the same
8 residency requirements as other students in the school at
9 which he or she participates.

10 4. The charter school student must meet the same
11 standards of acceptance, behavior, and performance that are
12 required of other students in extracurricular activities.

13 5. The charter school student must register with the
14 school his or her intent to participate in ~~interscholastic~~
15 extracurricular activities as a representative of the school
16 before the beginning date of the season for the activity in
17 which he or she wishes to participate. A charter school
18 student must be able to participate in curricular activities
19 if that is a requirement for an extracurricular activity.

20 6. A student who transfers from a charter school
21 program to a traditional public school before or during the
22 first grading period of the school year is academically
23 eligible to participate in ~~interscholastic~~ extracurricular
24 activities during the first grading period if the student has
25 a successful evaluation from the previous school year,
26 pursuant to subparagraph 2.

27 7. Any public school or private school student who has
28 been unable to maintain academic eligibility for participation
29 in ~~interscholastic~~ extracurricular activities is ineligible to
30 participate in such activities as a charter school student
31 until the student has successfully completed one grading

1 | period in a charter school pursuant to subparagraph 2. to
2 | become eligible to participate as a charter school student.

3 | (4) The student standards for participation in
4 | ~~interscholastic~~ extracurricular activities must be applied
5 | beginning with the student's first semester of the 9th grade.
6 | Each student must meet such other requirements for
7 | participation as may be established by the district school
8 | board; however, a district school board may not establish
9 | requirements for participation in ~~interscholastic~~
10 | extracurricular activities which make participation in such
11 | activities less accessible to home education students than to
12 | other students. Except as set forth in paragraph (3)(c),
13 | evaluation processes or requirements that are placed on home
14 | education student participants may not go beyond those that
15 | apply under s. 1002.41 to home education students generally.

16 | (5) Any organization or entity that regulates or
17 | governs ~~interscholastic~~ extracurricular activities of public
18 | schools:

19 | (a) Shall permit home education associations to join
20 | as member schools.

21 | (b) Shall not discriminate against any eligible
22 | student based on an educational choice of public, private, or
23 | home education.

24 | (6) Public schools are prohibited from membership in
25 | any organization or entity which regulates or governs
26 | ~~interscholastic~~ extracurricular activities and discriminates
27 | against eligible students in public, private, or home
28 | education.

29 | (7) Any insurance provided by district school boards
30 | for participants in extracurricular activities shall cover the
31 | participating home education student. If there is an

1 additional premium for such coverage, the participating home
2 education student shall pay the premium.

3 Section 2. Subsection (11) of section 1002.33, Florida
4 Statutes, is amended to read:

5 1002.33 Charter schools.--

6 (11) PARTICIPATION IN ~~INTERSCHOLASTIC~~ EXTRACURRICULAR
7 ACTIVITIES.--A charter school student is eligible to
8 participate in an ~~interscholastic~~ extracurricular activity at
9 the public school to which the student would be otherwise
10 assigned to attend pursuant to s. 1006.15(3)(d).

11 Section 3. Subsection (4) of section 1002.41, Florida
12 Statutes, is amended to read:

13 1002.41 Home education programs.--

14 (4) Home education students may participate in
15 ~~interscholastic~~ extracurricular student activities in
16 accordance with the provisions of s. 1006.15.

17 Section 4. The Department of Education shall gather
18 data regarding the number of students who have been precluded
19 from participating in extracurricular activities due to the
20 provisions of section 1006.15, Florida Statutes, as amended by
21 this act, and the effect of those provisions on graduation
22 rates and dropout rates. This data shall be reported annually
23 to the Governor, the President of the Senate, and the Speaker
24 of the House of Representatives.

25 Section 5. This act shall take effect January 1, 2006.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1034

The committee substitute:

Provides an exception for a student whose class curriculum requires travel or performance; and

Authorizes district school boards to establish waivers from the standards to participate in extracurricular activities based on the extenuating circumstances of a student. The State Board of Education must approve a school district's waiver process before implementation.