

Bill No. HB 149, 1st Eng.

Barcode 364772

CHAMBER ACTION

Senate

House

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Senator Baker moved the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

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

1006.15 Student standards for participation in ~~interscholastic~~ extracurricular student activities; regulation.--

(1) This section may be cited as the "Craig Dickinson Act."

(2) ~~Interscholastic~~ Extracurricular student activities are an important complement to the academic curriculum.

Participation in a comprehensive extracurricular and academic program contributes to student development of the social and intellectual skills necessary to become a well-rounded adult.

As used in this section, the term "extracurricular" means any school-authorized or education-related activity, including, but not limited to, interscholastic activities, occurring

Bill No. HB 149, 1st Eng.

Barcode 364772

1 during or outside the regular instructional school day. For  
 2 purposes of this section, a student may not be precluded from  
 3 receiving tutoring, performing community service, or attending  
 4 school athletic, social, and academic functions. However, a  
 5 student who is not eligible, pursuant to this section, to  
 6 participate in extracurricular activities may not perform at  
 7 school functions or travel with a school team, band, club, or  
 8 other organization to any event where the group is to compete  
 9 or perform. This section does not prohibit a student who is  
 10 enrolled in a class designated by the student course code  
 11 directory provided by the Department of Education from  
 12 performing or traveling to compete or perform as part of the  
 13 class curriculum.

14 (3)(a) To be eligible to participate in  
 15 ~~interscholastic~~ extracurricular student activities in  
 16 athletics, a student must:

17 1. Maintain a grade point average of 2.0 or above on a  
 18 4.0 scale, or its equivalent, in the previous semester or a  
 19 cumulative grade point average of 2.0 or above on a 4.0 scale,  
 20 or its equivalent, in the courses required by s. 1003.43(1).

21 2. Execute and fulfill the requirements of an academic  
 22 performance contract between the student, the district school  
 23 board, the appropriate governing association, and the  
 24 student's parents, if the student's cumulative grade point  
 25 average falls below 2.0, or its equivalent, on a 4.0 scale in  
 26 the courses required by s. 1003.43(1) ~~or, for students who~~  
 27 ~~entered the 9th grade prior to the 1997-1998 school year, if~~  
 28 ~~the student's cumulative grade point average falls below 2.0~~  
 29 ~~on a 4.0 scale, or its equivalent, in the courses required by~~  
 30 ~~s. 1003.43(1) that are taken after July 1, 1997.~~ At a minimum,  
 31 the contract must require that the student attend summer

Bill No. HB 149, 1st Eng.

Barcode 364772

1 school, or its graded equivalent, between grades 9 and 10 or  
2 grades 10 and 11, as necessary.

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

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

14           (b) Any student who is exempt from attending a full  
15 school day based on rules adopted by the district school board  
16 for double session schools or programs, experimental schools,  
17 or schools operating under emergency conditions must maintain  
18 the grade point average required by this section and pass each  
19 class for which he or she is enrolled. The establishment and  
20 approval of the waiver process pursuant to paragraph (e) shall  
21 apply to the requirements of this paragraph.

22           (c) An individual home education student is eligible  
23 to participate at the public school to which the student would  
24 be assigned according to district school board attendance area  
25 policies or which the student could choose to attend pursuant  
26 to district or interdistrict controlled open enrollment  
27 provisions, or may develop an agreement to participate at a  
28 private school, in the ~~interscholastic~~ extracurricular  
29 activities of that school, provided the following conditions  
30 are met:

31           1. The home education student must meet the

Barcode 364772

1 requirements of the home education program pursuant to s.  
2 1002.41.

3           2. During the period of participation at a school, the  
4 home education student must demonstrate educational progress  
5 as required in paragraph (b) in all subjects taken in the home  
6 education program by a method of evaluation agreed upon by the  
7 parent and the school principal which may include: review of  
8 the student's work by a certified teacher chosen by the  
9 parent; grades earned through correspondence; grades earned in  
10 courses taken at a community college, university, or trade  
11 school; standardized test scores above the 35th percentile; or  
12 any other method designated in s. 1002.41.

13           3. The home education student must meet the same  
14 residency requirements as other students in the school at  
15 which he or she participates.

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

19           5. The student must register with the school his or  
20 her intent to participate in ~~interscholastic~~ extracurricular  
21 activities as a representative of the school before the  
22 beginning date of the season for the activity in which he or  
23 she wishes to participate. A home education student must be  
24 able to participate in curricular activities if that is a  
25 requirement for an extracurricular activity.

26           6. A student who transfers from a home education  
27 program to a public school before or during the first grading  
28 period of the school year is academically eligible to  
29 participate in ~~interscholastic~~ extracurricular activities  
30 during the first grading period provided the student has a  
31 successful evaluation from the previous school year, pursuant

Barcode 364772

1 to subparagraph 2.

2           7. Any public school or private school student who has  
3 been unable to maintain academic eligibility for participation  
4 in ~~interscholastic~~ extracurricular activities is ineligible to  
5 participate in such activities as a home education student  
6 until the student has successfully completed one grading  
7 period in home education pursuant to subparagraph 2. to become  
8 eligible to participate as a home education student.

9           (d) An individual charter school student pursuant to  
10 s. 1002.33 is eligible to participate at the public school to  
11 which the student would be assigned according to district  
12 school board attendance area policies or which the student  
13 could choose to attend, pursuant to district or interdistrict  
14 controlled open-enrollment provisions, in any ~~interscholastic~~  
15 extracurricular activity of that school, unless such activity  
16 is provided by the student's charter school, if the following  
17 conditions are met:

18           1. The charter school student must meet the  
19 requirements of the charter school education program as  
20 determined by the charter school governing board.

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

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

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

30           5. The charter school student must register with the  
31 school his or her intent to participate in ~~interscholastic~~

Bill No. HB 149, 1st Eng.

Barcode 364772

1 extracurricular activities as a representative of the school  
2 before the beginning date of the season for the activity in  
3 which he or she wishes to participate. A charter school  
4 student must be able to participate in curricular activities  
5 if that is a requirement for an extracurricular activity.

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

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

20         (e) In addition to any other requirements as provided  
21 by law with the exception of paragraph (a), to be eligible to  
22 participate in extracurricular student activities other than  
23 athletics, a student must comply with the following policies:

24         1. Maintain a grade point average of 2.0 or above on a  
25 4.0 scale, or its equivalent, in the previous semester or a  
26 cumulative grade point average of 2.0 or above on a 4.0 scale,  
27 or its equivalent in the courses required by s. 1003.43(1) if  
28 required by a district school board. District school boards  
29 are encouraged to require students who wish to participate in  
30 extracurricular activities other than athletics to maintain a  
31 grade point average of 2.0 or above on a 4.0 scale, or its

Bill No. HB 149, 1st Eng.

Barcode 364772

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

4 2. Maintain satisfactory conduct and, if a student is  
5 convicted of, or is found to have committed, a felony or a  
6 delinquent act that would have been a felony if committed by  
7 an adult, regardless of whether adjudication is withheld, the  
8 student's participation is contingent upon established and  
9 published district school board policy.

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11 If a district school board elects not to require a student to  
12 maintain a grade point average of 2.0 or above on a 4.0 scale,  
13 or its equivalent, the board must do so at a district school  
14 board public meeting held under s. 1001.372. The board shall  
15 offer its reasons for the board's decision not to require the  
16 minimum grade point average at the same public meeting. In  
17 addition, the board shall report specific steps it is taking  
18 to improve the grade point averages of the students  
19 participating in extracurricular activities who would not meet  
20 the minimum grade point average if the policy were in force.

21 At each board meeting held under s. 1001.372 immediately  
22 following each grading period, the board shall report the  
23 number of students participating in extracurricular activities  
24 other than athletics; the number of those students who would  
25 be below the minimum grade point average standard if the  
26 policy were in force; the number of those students below the  
27 minimum grade point average standard whose grade point average  
28 has improved, declined, or remained the same, along with the  
29 amount of change in grade point average per student; and the  
30 number of students who would meet the minimum grade point  
31 average standard if the policy were in force. The board shall

Bill No. HB 149, 1st Eng.

Barcode 364772

1 report this data in a manner consistent with s. 1002.22. If a  
 2 board reports more than half of the students participating in  
 3 extracurricular activities other than athletics who are below  
 4 the minimum grade point average standard did not improve their  
 5 grade point averages, the board must immediately adopt at its  
 6 next public meeting held under s. 1001.372, a minimum grade  
 7 point average requirement of 2.0 on a 4.0 scale, or its  
 8 equivalent, for all students participating in extracurricular  
 9 activities. A board that opts to require the minimum grade  
 10 point average of 2.0 on a 4.0 scale, or its equivalent, for  
 11 students participating in extracurricular activities other  
 12 than athletics is exempt from this meeting and reporting  
 13 requirement. District school boards are encouraged to  
 14 establish a process to waive the requirements of this  
 15 paragraph based on extenuating circumstances of an individual  
 16 student.

17 (4) The student standards for participation in  
 18 ~~interscholastic~~ extracurricular activities must be applied  
 19 beginning with the student's first semester of the 9th grade.  
 20 Each student must meet such other requirements for  
 21 participation as may be established by the district school  
 22 board; however, a district school board may not establish  
 23 requirements for participation in ~~interscholastic~~  
 24 extracurricular activities which make participation in such  
 25 activities less accessible to home education students than to  
 26 other students. Except as set forth in paragraph (3)(c),  
 27 evaluation processes or requirements that are placed on home  
 28 education student participants may not go beyond those that  
 29 apply under s. 1002.41 to home education students generally.

30 (5) Any organization or entity that regulates or  
 31 governs ~~interscholastic~~ extracurricular activities of public

Bill No. HB 149, 1st Eng.

Barcode 364772

1 schools:

2 (a) Shall permit home education associations to join  
3 as member schools.

4 (b) Shall not discriminate against any eligible  
5 student based on an educational choice of public, private, or  
6 home education.

7 (6) Public schools are prohibited from membership in  
8 any organization or entity which regulates or governs  
9 ~~interscholastic~~ extracurricular activities and discriminates  
10 against eligible students in public, private, or home  
11 education.

12 (7) Any insurance provided by district school boards  
13 for participants in extracurricular activities shall cover the  
14 participating home education student. If there is an  
15 additional premium for such coverage, the participating home  
16 education student shall pay the premium.

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

19 1002.33 Charter schools.--

20 (11) PARTICIPATION IN ~~INTERSCHOLASTIC~~ EXTRACURRICULAR  
21 ACTIVITIES.--A charter school student is eligible to  
22 participate in an ~~interscholastic~~ extracurricular activity at  
23 the public school to which the student would be otherwise  
24 assigned to attend pursuant to s. 1006.15(3)(d).

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

27 1002.41 Home education programs.--

28 (4) Home education students may participate in  
29 ~~interscholastic~~ extracurricular student activities in  
30 accordance with the provisions of s. 1006.15.

31 Section 4. The Department of Education shall gather

Bill No. HB 149, 1st Eng.

Barcode 364772

1 data regarding the number of students who have been precluded  
 2 from participating in extracurricular activities due to the  
 3 provisions of section 1006.15, Florida Statutes, as amended by  
 4 this act, and the effect of those provisions on graduation  
 5 rates and dropout rates. This data shall be reported annually  
 6 to the Governor, the President of the Senate, and the Speaker  
 7 of the House of Representatives.

8           Section 5. By June 30, each district school board  
 9 shall annually report to the Department of Education the  
 10 number of waivers granted under section 1006.15, Florida  
 11 Statutes, for the previous school year.

12           Section 6. This act shall take effect January 1, 2006.

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15 ===== T I T L E   A M E N D M E N T =====

16 And the title is amended as follows:

17           Delete everything before the enacting clause

18

19 and insert:

20                               A bill to be entitled  
 21           An act relating to extracurricular student  
 22           activities; amending s. 1006.15, F.S.;  
 23           providing that eligibility requirements for  
 24           participation shall apply to all  
 25           extracurricular activities rather than to  
 26           interscholastic activities only; providing that  
 27           a student shall not be precluded from  
 28           participation in certain activities; providing  
 29           certain restrictions with respect to  
 30           participation; requiring specific reporting  
 31           requirements for certain district school

Bill No. HB 149, 1st Eng.

Barcode 364772

1 boards; authorizing district school boards to  
2 establish a waiver process; amending ss.  
3 1002.33 and 1002.41, F.S.; conforming  
4 provisions; requiring the Department of  
5 Education to annually report data relating to  
6 student participation in extracurricular  
7 activities; requiring district school boards to  
8 report waivers granted under s. 1006.15, F.S.;  
9 providing an effective date.

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