

Bill No. HB 149, 1st Eng.

Barcode 762378

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 762378

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

14 (3)(a) To be eligible to participate in
 15 ~~interscholastic~~ extracurricular student activities, a student
 16 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 762378

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
15 District school boards are encouraged to establish a process
16 to waive the requirements of this paragraph based on
17 extenuating circumstances of an individual student. The State
18 Board of Education shall approve each school district's waiver
19 process prior to implementation.

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

28 (c) An individual home education student is eligible
29 to participate at the public school to which the student would
30 be assigned according to district school board attendance area
31 policies or which the student could choose to attend pursuant

Bill No. HB 149, 1st Eng.

Barcode 762378

1 to district or interdistrict controlled open enrollment
 2 provisions, or may develop an agreement to participate at a
 3 private school, in the ~~interscholastic~~ extracurricular
 4 activities of that school, provided the following conditions
 5 are met:

6 1. The home education student must meet the
 7 requirements of the home education program pursuant to s.
 8 1002.41.

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

19 3. The home education student must meet the same
 20 residency requirements as other students in the school at
 21 which he or she participates.

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

25 5. The student must register with the school his or
 26 her intent to participate in ~~interscholastic~~ extracurricular
 27 activities as a representative of the school before the
 28 beginning date of the season for the activity in which he or
 29 she wishes to participate. A home education student must be
 30 able to participate in curricular activities if that is a
 31 requirement for an extracurricular activity.

Barcode 762378

1 6. A student who transfers from a home education
 2 program to a public school before or during the first grading
 3 period of the school year is academically eligible to
 4 participate in ~~interscholastic~~ extracurricular activities
 5 during the first grading period provided the student has a
 6 successful evaluation from the previous school year, pursuant
 7 to subparagraph 2.

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

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

24 1. The charter school student must meet the
 25 requirements of the charter school education program as
 26 determined by the charter school governing board.

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

30 3. The charter school student must meet the same
 31 residency requirements as other students in the school at

Barcode 762378

1 which he or she participates.

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

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

12 6. A student who transfers from a charter school
13 program to a traditional public school before or during the
14 first grading period of the school year is academically
15 eligible to participate in ~~interscholastic~~ extracurricular
16 activities during the first grading period if the student has
17 a successful evaluation from the previous school year,
18 pursuant to subparagraph 2.

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

26 (4) The student standards for participation in
27 ~~interscholastic~~ extracurricular activities must be applied
28 beginning with the student's first semester of the 9th grade.
29 Each student must meet such other requirements for
30 participation as may be established by the district school
31 board; however, a district school board may not establish

Bill No. HB 149, 1st Eng.

Barcode 762378

1 requirements for participation in ~~interscholastic~~
 2 extracurricular activities which make participation in such
 3 activities less accessible to home education students than to
 4 other students. Except as set forth in paragraph (3)(c),
 5 evaluation processes or requirements that are placed on home
 6 education student participants may not go beyond those that
 7 apply under s. 1002.41 to home education students generally.

8 (5) Any organization or entity that regulates or
 9 governs ~~interscholastic~~ extracurricular activities of public
 10 schools:

11 (a) Shall permit home education associations to join
 12 as member schools.

13 (b) Shall not discriminate against any eligible
 14 student based on an educational choice of public, private, or
 15 home education.

16 (6) Public schools are prohibited from membership in
 17 any organization or entity which regulates or governs
 18 ~~interscholastic~~ extracurricular activities and discriminates
 19 against eligible students in public, private, or home
 20 education.

21 (7) Any insurance provided by district school boards
 22 for participants in extracurricular activities shall cover the
 23 participating home education student. If there is an
 24 additional premium for such coverage, the participating home
 25 education student shall pay the premium.

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

28 1002.33 Charter schools.--

29 (11) PARTICIPATION IN ~~INTERSCHOLASTIC~~ EXTRACURRICULAR
 30 ACTIVITIES.--A charter school student is eligible to
 31 participate in an ~~interscholastic~~ extracurricular activity at

Bill No. HB 149, 1st Eng.

Barcode 762378

1 the public school to which the student would be otherwise
2 assigned to attend pursuant to s. 1006.15(3)(d).

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

5 1002.41 Home education programs.--

6 (4) Home education students may participate in
7 ~~interscholastic~~ extracurricular student activities in
8 accordance with the provisions of s. 1006.15.

9 Section 4. The Department of Education shall gather
10 data regarding the number of students who have been precluded
11 from participating in extracurricular activities due to the
12 provisions of section 1006.15, Florida Statutes, as amended by
13 this act, and the effect of those provisions on graduation
14 rates and dropout rates. This data shall be reported annually
15 to the Governor, the President of the Senate, and the Speaker
16 of the House of Representatives.

17 Section 5. This act shall take effect January 1, 2006.

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

21 And the title is amended as follows:

22 Delete everything before the enacting clause

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24 and insert:

25 extracurricular student activities; amending s.
26 1006.15, F.S.; providing that eligibility
27 requirements for participation shall apply to
28 all extracurricular activities rather than to
29 interscholastic activities only; providing that
30 a student shall not be precluded from
31 participation in certain activities; providing

Bill No. HB 149, 1st Eng.

Barcode 762378

1 certain restrictions with respect to
2 participation; authorizing district school
3 boards to establish a waiver process; requiring
4 the State Board of Education to approve school
5 district waiver processes; amending ss. 1002.33
6 and 1002.41, F.S.; conforming provisions;
7 requiring the Department of Education to
8 annually report data relating to student
9 participation in extracurricular activities;
10 providing an effective date.

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