

Bill No. HB 149, 1st Eng.

Barcode 805952

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

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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. However, a student who is not eligible
14 may continue to participate in extracurricular activities for
15 a 9-week grading period. Following the 9-week period, if that
16 student does not meet the requirements of this section, the
17 student may not participate in the extracurricular activities
18 as provided in this section.

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

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

26 2. Execute and fulfill the requirements of an academic
27 performance contract between the student, the district school
28 board, the appropriate governing association, and the
29 student's parents, if the student's cumulative grade point
30 average falls below 2.0, or its equivalent, on a 4.0 scale in
31 the courses required by s. 1003.43(1) or, for students who

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

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

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

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

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

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1 apply to the requirements of this paragraph.

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

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

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

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

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

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

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

6 6. A student who transfers from a home education
 7 program to a public school before or during the first grading
 8 period of the school year is academically eligible to
 9 participate in ~~interscholastic~~ extracurricular activities
 10 during the first grading period provided the student has a
 11 successful evaluation from the previous school year, pursuant
 12 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 home education student
 17 until the student has successfully completed one grading
 18 period in home education pursuant to subparagraph 2. to become
 19 eligible to participate as a home education student.

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

29 1. The charter school student must meet the
 30 requirements of the charter school education program as
 31 determined by the charter school governing board.

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

4 3. The charter school student must meet the same
5 residency requirements as other students in the school at
6 which he or she participates.

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

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

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

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

31 (4) The student standards for participation in

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

13 (5) Any organization or entity that regulates or
14 governs ~~interscholastic~~ extracurricular activities of public
15 schools:

16 (a) Shall permit home education associations to join
17 as member schools.

18 (b) Shall not discriminate against any eligible
19 student based on an educational choice of public, private, or
20 home education.

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

26 (7) Any insurance provided by district school boards
27 for participants in extracurricular activities shall cover the
28 participating home education student. If there is an
29 additional premium for such coverage, the participating home
30 education student shall pay the premium.

31 Section 2. Subsection (11) of section 1002.33, Florida

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1 Statutes, is amended to read:

2 1002.33 Charter schools.--

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

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

10 1002.41 Home education programs.--

11 (4) Home education students may participate in
12 ~~interscholastic~~ extracurricular student activities in
13 accordance with the provisions of s. 1006.15.

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

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

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

26 And the title is amended as follows:

27 Delete everything before the enacting clause

28
29 and insert:

30 A bill to be entitled

31 An act relating to extracurricular student

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1 activities; amending s. 1006.15, F.S.;

2 providing that eligibility requirements for

3 participation shall apply to all

4 extracurricular activities rather than to

5 interscholastic activities only; providing that

6 a student shall not be precluded from

7 participation in certain activities; providing

8 certain restrictions with respect to

9 participation; authorizing district school

10 boards to establish a waiver process; requiring

11 the State Board of Education to approve school

12 district waiver processes; amending ss. 1002.33

13 and 1002.41, F.S.; conforming provisions;

14 requiring the Department of Education to

15 annually report data relating to student

16 participation in extracurricular activities;

17 providing an effective date.

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