

1 A bill to be entitled

2 An act relating to extracurricular student activities;
3 amending s. 1006.15, F.S.; providing that eligibility
4 requirements for participation shall apply to all
5 extracurricular activities rather than to interscholastic
6 activities only; providing that a student shall not be
7 precluded from participation in certain activities;
8 providing certain restrictions with respect to
9 participation; authorizing establishment of a waiver
10 process; prohibiting certain waivers; amending ss. 1002.33
11 and 1002.41, F.S.; conforming provisions; requiring the
12 Department of Education to annually report data relating
13 to student participation in extracurricular activities;
14 providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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

20 1006.15 Student standards for participation in
21 ~~interscholastic~~ extracurricular student activities;
22 regulation.--

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

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

27 Participation in a comprehensive extracurricular and academic
28 program contributes to student development of the social and

29 intellectual skills necessary to become a well-rounded adult. As
 30 used in this section, the term "extracurricular" means any
 31 school-authorized or education-related activity, including, but
 32 not limited to, interscholastic activities, occurring during or
 33 outside the regular instructional school day. For purposes of
 34 this section, a student shall not be precluded from receiving
 35 tutoring, performing community service, or attending school
 36 athletic, social, and academic functions. However, a student who
 37 is not eligible, pursuant to this section, to participate in
 38 extracurricular activities shall not perform at school functions
 39 or travel with a school team, band, club, or other organization
 40 to any event where the group is to compete or perform.

41 (3) (a) To be eligible to participate in ~~interscholastic~~
 42 extracurricular student activities, a student must:

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

47 2. Execute and fulfill the requirements of an academic
 48 performance contract between the student, the district school
 49 board, the appropriate governing association, and the student's
 50 parents, if the student's cumulative grade point average falls
 51 below 2.0, or its equivalent, on a 4.0 scale in the courses
 52 required by s. 1003.43(1) or, for students who entered the 9th
 53 grade prior to the 1997-1998 school year, if the student's
 54 cumulative grade point average falls below 2.0 on a 4.0 scale,
 55 or its equivalent, in the courses required by s. 1003.43(1) that
 56 are taken after July 1, 1997. At a minimum, the contract must

57 | require that the student attend summer school, or its graded
58 | equivalent, between grades 9 and 10 or grades 10 and 11, as
59 | necessary.

60 | 3. Have a cumulative grade point average of 2.0 or above
61 | on a 4.0 scale, or its equivalent, in the courses required by s.
62 | 1003.43(1) during his or her junior or senior year.

63 | 4. Maintain satisfactory conduct and, if a student is
64 | convicted of, or is found to have committed, a felony or a
65 | delinquent act which would have been a felony if committed by an
66 | adult, regardless of whether adjudication is withheld, the
67 | student's participation in ~~interscholastic~~ extracurricular
68 | activities is contingent upon established and published district
69 | school board policy.

70 |
71 | District school boards are encouraged to establish a process to
72 | waive the requirements of this paragraph based on extenuating
73 | circumstances of an individual student. Students participating
74 | in activities governed pursuant to s. 1006.20 are not eligible
75 | for such waiver by a district school board. The State Board of
76 | Education shall approve each school district's waiver process
77 | prior to implementation.

78 | (b) Any student who is exempt from attending a full school
79 | day based on rules adopted by the district school board for
80 | double session schools or programs, experimental schools, or
81 | schools operating under emergency conditions must maintain the
82 | grade point average required by this section and pass each class
83 | for which he or she is enrolled. The establishment and approval

84 of the waiver process pursuant to paragraph (a) shall apply to
85 the requirements of this paragraph.

86 (c) An individual home education student is eligible to
87 participate at the public school to which the student would be
88 assigned according to district school board attendance area
89 policies or which the student could choose to attend pursuant to
90 district or interdistrict controlled open enrollment provisions,
91 or may develop an agreement to participate at a private school,
92 in the ~~interscholastic~~ extracurricular activities of that
93 school, provided the following conditions are met:

94 1. The home education student must meet the requirements
95 of the home education program pursuant to s. 1002.41.

96 2. During the period of participation at a school, the
97 home education student must demonstrate educational progress as
98 required in paragraph (b) in all subjects taken in the home
99 education program by a method of evaluation agreed upon by the
100 parent and the school principal which may include: review of the
101 student's work by a certified teacher chosen by the parent;
102 grades earned through correspondence; grades earned in courses
103 taken at a community college, university, or trade school;
104 standardized test scores above the 35th percentile; or any other
105 method designated in s. 1002.41.

106 3. The home education student must meet the same residency
107 requirements as other students in the school at which he or she
108 participates.

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

112 5. The student must register with the school his or her
113 intent to participate in ~~interscholastic~~ extracurricular
114 activities as a representative of the school before the
115 beginning date of the season for the activity in which he or she
116 wishes to participate. A home education student must be able to
117 participate in curricular activities if that is a requirement
118 for an extracurricular activity.

119 6. A student who transfers from a home education program
120 to a public school before or during the first grading period of
121 the school year is academically eligible to participate in
122 ~~interscholastic~~ extracurricular activities during the first
123 grading period provided the student has a successful evaluation
124 from the previous school year, pursuant to subparagraph 2.

125 7. Any public school or private school student who has
126 been unable to maintain academic eligibility for participation
127 in ~~interscholastic~~ extracurricular activities is ineligible to
128 participate in such activities as a home education student until
129 the student has successfully completed one grading period in
130 home education pursuant to subparagraph 2. to become eligible to
131 participate as a home education student.

132 (d) An individual charter school student pursuant to s.
133 1002.33 is eligible to participate at the public school to which
134 the student would be assigned according to district school board
135 attendance area policies or which the student could choose to
136 attend, pursuant to district or interdistrict controlled open-
137 enrollment provisions, in any ~~interscholastic~~ extracurricular
138 activity of that school, unless such activity is provided by the
139 student's charter school, if the following conditions are met:

140 1. The charter school student must meet the requirements
141 of the charter school education program as determined by the
142 charter school governing board.

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

146 3. The charter school student must meet the same residency
147 requirements as other students in the school at which he or she
148 participates.

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

152 5. The charter school student must register with the
153 school his or her intent to participate in ~~interscholastic~~
154 extracurricular activities as a representative of the school
155 before the beginning date of the season for the activity in
156 which he or she wishes to participate. A charter school student
157 must be able to participate in curricular activities if that is
158 a requirement for an extracurricular activity.

159 6. A student who transfers from a charter school program
160 to a traditional public school before or during the first
161 grading period of the school year is academically eligible to
162 participate in ~~interscholastic~~ extracurricular activities during
163 the first grading period if the student has a successful
164 evaluation from the previous school year, pursuant to
165 subparagraph 2.

166 7. Any public school or private school student who has
167 been unable to maintain academic eligibility for participation

168 in ~~interscholastic~~ extracurricular activities is ineligible to
169 participate in such activities as a charter school student until
170 the student has successfully completed one grading period in a
171 charter school pursuant to subparagraph 2. to become eligible to
172 participate as a charter school student.

173 (4) The student standards for participation in
174 ~~interscholastic~~ extracurricular activities must be applied
175 beginning with the student's first semester of the 9th grade.
176 Each student must meet such other requirements for participation
177 as may be established by the district school board; however, a
178 district school board may not establish requirements for
179 participation in ~~interscholastic~~ extracurricular activities
180 which make participation in such activities less accessible to
181 home education students than to other students. Except as set
182 forth in paragraph (3)(c), evaluation processes or requirements
183 that are placed on home education student participants may not
184 go beyond those that apply under s. 1002.41 to home education
185 students generally.

186 (5) Any organization or entity that regulates or governs
187 ~~interscholastic~~ extracurricular activities of public schools:

188 (a) Shall permit home education associations to join as
189 member schools.

190 (b) Shall not discriminate against any eligible student
191 based on an educational choice of public, private, or home
192 education.

193 (6) Public schools are prohibited from membership in any
194 organization or entity which regulates or governs

195 ~~interscholastic~~ extracurricular activities and discriminates
 196 against eligible students in public, private, or home education.

197 (7) Any insurance provided by district school boards for
 198 participants in extracurricular activities shall cover the
 199 participating home education student. If there is an additional
 200 premium for such coverage, the participating home education
 201 student shall pay the premium.

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

204 1002.33 Charter schools.--

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

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

212 1002.41 Home education programs.--

213 (4) Home education students may participate in
 214 ~~interscholastic~~ extracurricular student activities in accordance
 215 with the provisions of s. 1006.15.

216 Section 4. The Department of Education shall gather data
 217 regarding the number of students who have been precluded from
 218 participating in extracurricular activities due to the
 219 provisions of s. 1006.15, Florida Statutes, as amended by this
 220 act, and their impact on graduation rates and dropout rates.
 221 This data shall be reported annually to the Governor, the

HB 149, Engrossed 1

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222 Speaker of the House of Representatives, and the President of
223 the Senate.

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