

Amendment 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Rules & Calendar Committee
2 Representative Stargel offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (17) of section 1002.20, Florida Statutes, is amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(17) ATHLETICS; PUBLIC HIGH SCHOOL.—

(a) Eligibility.—Eligibility requirements for all students participating in high school athletic competition must allow a student to be eligible in the school in which he or she first enrolls each school year, the school in which the student ~~or~~ makes himself or herself a candidate for an athletic team by

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20 engaging in practice before enrolling, or the school to which
21 the student has transferred with approval of the district school
22 board, in accordance with the provisions of s. 1006.20(2)(a).

23 Section 2. Paragraphs (a), (e), and (g) of subsection (8)
24 of section 1006.15, Florida Statutes, are amended, and paragraph
25 (h) is added to that subsection, to read:

26 1006.15 Student standards for participation in
27 interscholastic and intrascholastic extracurricular student
28 activities; regulation.—

29 (8) (a) The Florida High School Athletic Association
30 (FHSAA), in cooperation with each district school board, shall
31 facilitate a program in which a middle school or high school
32 student who attends a private school shall be eligible to
33 participate in an interscholastic or intrascholastic sport at a
34 public high school, a public middle school, or a 6-12 public
35 school that is zoned for the physical address at which the
36 student resides if:

37 1. The private school in which the student is enrolled is
38 not a member of the FHSAA and does not offer the particular
39 interscholastic sport that is offered at the public school ~~an~~
40 ~~interscholastic or intrascholastic athletic program.~~

41 2. The private school student meets the guidelines for the
42 conduct of the program established by the FHSAA's board of
43 directors and the district school board. At a minimum, such
44 guidelines shall provide:

45 a. The ~~A~~ deadline for each sport by which the private
46 school student's parents must register with the public school in
47 writing their intent for their child to participate at that

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48 school in the sport, which shall be the date the bylaws
49 authorize for the beginning of practice for the sport.

50 b. Requirements for a private school student to
51 participate, including, but not limited to, meeting the same
52 standards of eligibility, acceptance, behavior, educational
53 progress, and performance which apply to other students
54 participating in interscholastic or intrascholastic sports at a
55 public school or FHSAA member private school.

56 c. Requirements governing student transfers and
57 eligibility for students who transfer between member schools,
58 which shall be applied similarly to a private school student
59 participating under this section who changes the member school
60 in which he or she desires to participate.

61 (e) Any non-FHSAA member private school that has a student
62 who wishes to participate in this program must make all student
63 records, including, but not limited to, academic, ~~financial,~~
64 disciplinary, and attendance records, available upon request of
65 the FHSAA.

66 (g) Only students who are enrolled in non-FHSAA member
67 private schools consisting of 250 ~~125~~ students or fewer are
68 eligible to participate in the program in any given academic
69 year.

70 (h) According to FHSAA bylaws, a student participating
71 under this section may participate through private member
72 schools as well as public schools if the private member school
73 desires to accommodate the student from a nonmember private
74 school.

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75 Section 3. Section 1006.20, Florida Statutes, is amended
76 to read:

77 1006.20 Athletics in public K-12 schools.—

78 (1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High
79 School Athletic Association (FHSAA) is designated as the
80 governing nonprofit organization of athletics in Florida public
81 schools. If the FHSAA ~~Florida High School Athletic Association~~
82 fails to meet the provisions of this section, the commissioner
83 shall designate a nonprofit organization to govern athletics
84 with the approval of the State Board of Education. The FHSAA
85 ~~organization~~ is not ~~to be~~ a state agency as defined in s.
86 120.52. The FHSAA ~~organization~~ shall be subject to the
87 provisions of s. 1006.19. A private school that wishes to engage
88 in high school athletic competition with a public high school
89 may become a member of the FHSAA ~~organization~~. Any high school
90 in the state, including charter schools, virtual schools, and
91 home education cooperatives, may become a member of the FHSAA
92 and participate in the activities of the FHSAA. However,
93 membership in the FHSAA is not mandatory for any school. The
94 bylaws of the FHSAA ~~organization~~ are ~~to be~~ the rules by which
95 high school athletic programs in its member schools, and the
96 students who participate in them, are governed, unless otherwise
97 specifically provided by statute. For the purposes of this
98 section, "high school" includes grades 6 through 12.

99 (2) ADOPTION OF BYLAWS.—

100 (a) The FHSAA ~~organization~~ shall adopt bylaws that, unless
101 specifically provided by statute, establish eligibility
102 requirements for all students who participate in high school

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103 athletic competition in its member schools. The bylaws governing
104 residence and transfer shall allow the student to be eligible in
105 the school in which he or she first enrolls each school year, or
106 the school in which the student makes himself or herself a
107 candidate for an athletic team by engaging in a practice prior
108 to enrolling in the any member school. The bylaws shall also
109 allow the student to be eligible in the school to which the
110 student has transferred during the school year with the approval
111 of the district school board in the case of transfer to a public
112 school or with the approval of the governing body in the case of
113 a transfer to a private school. The student shall be eligible in
114 that school so long as he or she remains enrolled in that
115 school. Subsequent eligibility shall be determined and enforced
116 through the FHSAA's ~~organization's~~ bylaws.

117 (b) The FHSAA ~~organization~~ shall adopt bylaws that
118 specifically prohibit the recruiting of students for athletic
119 purposes. The bylaws shall prescribe penalties and an appeals
120 process for athletic recruiting violations. If it is determined
121 that a school has recruited a student, the FHSAA may require the
122 school to participate in a higher classification for the sport
123 in which the recruited student competes in addition to any other
124 appropriate fine and sanction imposed on the school, its
125 coaches, or adult representatives who violate recruiting rules.
126 A student may not be declared ineligible based on violation of
127 recruiting rules unless the student or parent has falsified any
128 enrollment or eligibility document or accepted any benefit or
129 any promise of benefit when such benefit is not generally

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130 available to the school's students or family members or is based
131 in any way on athletic interest, potential, or performance.

132 (c) The FHSAA ~~organization~~ shall adopt bylaws that require
133 all students participating in interscholastic athletic
134 competition or who are candidates for an interscholastic
135 athletic team to satisfactorily pass a medical evaluation each
136 year prior to participating in interscholastic athletic
137 competition or engaging in any practice, tryout, workout, or
138 other physical activity associated with the student's candidacy
139 for an interscholastic athletic team. Such medical evaluation
140 may ~~can only~~ be administered only by a practitioner licensed
141 under ~~the provisions of~~ chapter 458, chapter 459, chapter 460,
142 or s. 464.012, and in good standing with the practitioner's
143 regulatory board. The bylaws shall establish requirements for
144 eliciting a student's medical history and performing the medical
145 evaluation required under this paragraph, which shall include a
146 physical assessment of the student's physical capabilities to
147 participate in interscholastic athletic competition as contained
148 in a uniform preparticipation physical evaluation and history
149 form. The evaluation form shall incorporate the recommendations
150 of the American Heart Association for participation
151 cardiovascular screening and shall provide a place for the
152 signature of the practitioner performing the evaluation with an
153 attestation that each examination procedure listed on the form
154 was performed by the practitioner or by someone under the direct
155 supervision of the practitioner. The form shall also contain a
156 place for the practitioner to indicate if a referral to another
157 practitioner was made in lieu of completion of a certain

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158 examination procedure. The form shall provide a place for the
159 practitioner to whom the student was referred to complete the
160 remaining sections and attest to that portion of the
161 examination. The preparticipation physical evaluation form shall
162 advise students to complete a cardiovascular assessment and
163 shall include information concerning alternative cardiovascular
164 evaluation and diagnostic tests. Results of such medical
165 evaluation must be provided to the school. No student shall be
166 eligible to participate in any interscholastic athletic
167 competition or engage in any practice, tryout, workout, or other
168 physical activity associated with the student's candidacy for an
169 interscholastic athletic team until the results of the medical
170 evaluation have been received and approved by the school.

171 (d) Notwithstanding the provisions of paragraph (c), a
172 student may participate in interscholastic athletic competition
173 or be a candidate for an interscholastic athletic team if the
174 parent of the student objects in writing to the student
175 undergoing a medical evaluation because such evaluation is
176 contrary to his or her religious tenets or practices. However,
177 in such case, there shall be no liability on the part of any
178 person or entity in a position to otherwise rely on the results
179 of such medical evaluation for any damages resulting from the
180 student's injury or death arising directly from the student's
181 participation in interscholastic athletics where an undisclosed
182 medical condition that would have been revealed in the medical
183 evaluation is a proximate cause of the injury or death.

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184 (e) The FHSAA shall adopt bylaws that regulate persons who
185 conduct investigations on behalf of the FHSAA. The bylaws shall
186 include provisions that require an investigator to:

187 1. Undergo level 2 background screening under s. 435.04,
188 establishing that the investigator has not committed any
189 disqualifying act listed in s. 435.04, unless the investigator
190 can provide proof of compliance with level 2 screening standards
191 submitted within the previous 5 years to meet any professional
192 licensure requirements, provided:

193 a. The investigator has not had a break in service from a
194 position that requires level 2 screening for more than 90 days;
195 and

196 b. The investigator submits, under penalty of perjury, an
197 affidavit verifying that the investigator has not committed any
198 disqualifying acts listed in s. 435.04 and is in full compliance
199 with this paragraph.

200 2. Be appointed as an investigator by the executive
201 director.

202 3. Carry a photo identification card that shows the FHSAA
203 name, logo, and the investigator's official title.

204 4. Adhere to the following guidelines:

205 a. Investigate only those alleged violations assigned by
206 the executive director or the board of directors.

207 b. Conduct interviews on Monday through Friday between the
208 hours of 9 a.m. and 7 p.m. only, unless previously agreed to by
209 the interviewee.

210 c. Allow the parent of any student being interviewed to be
211 present during the interview.

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212 d. Search residences or other private areas only with the
213 permission of the executive director and the written consent of
214 the student's parent and only with a parent or a representative
215 of the parent present.

216 (f) The FHSAA shall adopt bylaws that establish sanctions
217 for coaches who have committed major violations of the FHSAA's
218 bylaws and policies.

219 1. Major violations include, but are not limited to,
220 knowingly allowing an ineligible student to participate in a
221 contest representing a member school in an interscholastic
222 contest or committing a violation of the FHSAA's recruiting or
223 sportsmanship policies.

224 2. Sanctions placed upon an individual coach may include,
225 but are not limited to, prohibiting or suspending the coach from
226 coaching, participating in, or attending any athletic activity
227 sponsored, recognized, or sanctioned by the FHSAA and the member
228 school for which the coach committed the violation. If a coach
229 is sanctioned by the FHSAA and the coach transfers to another
230 member school, those sanctions remain in full force and effect
231 during the term of the sanction.

232 3. If a member school is assessed a financial penalty as a
233 result of a coach committing a major violation, the coach shall
234 reimburse the member school before being allowed to coach,
235 participate in, or attend any athletic activity sponsored,
236 recognized, or sanctioned by the FHSAA and a member school.

237 4. The FHSAA shall establish a due process procedure for
238 coaches sanctioned under this paragraph, consistent with the
239 appeals procedures set forth in subsection (7).

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240 (g) The FHSAA shall adopt bylaws regulating the process of
241 FHSAA determinations of eligibility. Such bylaws shall provide
242 that:

243 1. Ineligibility must be established by clear and
244 convincing evidence;

245 2. Student athletes, parents, and schools must have notice
246 of the initiation of any investigation or other inquiry into
247 eligibility and may present, to the investigator and to the
248 individual making the eligibility determination, any information
249 or evidence that is credible, persuasive, and of a kind on which
250 reasonably prudent persons rely in the conduct of serious
251 affairs;

252 3. An investigator may not determine matters of
253 eligibility but must submit information and evidence to the
254 executive director or a person designated by the executive
255 director or by the board of directors for an unbiased and
256 objective determination of eligibility; and

257 4. A determination of ineligibility must be supported by
258 clear and convincing evidence and be made in writing, setting
259 forth the findings of fact and specific violation upon which the
260 decision is based.

261 (h) In lieu of bylaws adopted under paragraph (g), the
262 FHSAA may adopt bylaws providing as a minimum the procedural
263 safeguards of ss. 120.569 and 120.57, making appropriate
264 provision for appointment of unbiased and qualified hearing
265 officers.

266 (i) The FHSAA bylaws may not limit the competition of
267 student athletes prospectively for rule violations of their

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268 school or its coaches or their adult representatives. The FHSAA
269 bylaws may not unfairly punish student athletes for eligibility
270 or recruiting violations perpetrated by a teammate, coach, or
271 administrator. Contests may not be forfeited for inadvertent
272 eligibility violations unless the coach or a school
273 administrator had reason to know of the violation. Contests may
274 not be forfeited for other eligibility violations or recruiting
275 violations in excess of the number of contests that the coaches
276 and adult representatives responsible for the violations are
277 prospectively suspended.

278 (3) GOVERNING STRUCTURE OF THE ORGANIZATION.—

279 (a) The FHSAA ~~organization~~ shall operate as a
280 representative democracy in which the sovereign authority is
281 within its member schools. Except as provided in this section,
282 the FHSAA ~~organization~~ shall govern its affairs through its
283 bylaws.

284 (b) Each member school, on its annual application for
285 membership, shall name its official representative to the FHSAA
286 ~~organization~~. This representative must be either the school
287 principal or his or her designee. That designee must either be
288 an assistant principal or athletic director housed within that
289 same school.

290 (c) The FHSAA's ~~organization's~~ membership shall be divided
291 along existing county lines into four contiguous and compact
292 administrative regions, each containing an equal or nearly equal
293 number of member schools to ensure equitable representation on
294 the FHSAA's ~~organization's~~ board of directors, representative
295 assembly, and appeals committees ~~committee on appeals~~.

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296 (4) BOARD OF DIRECTORS.—

297 (a) The executive authority of the FHSAA ~~organization~~
298 shall be vested in its board of directors. Any entity that
299 appoints members to the board of directors shall examine the
300 ethnic and demographic composition of the board when selecting
301 candidates for appointment and shall, to the greatest extent
302 possible, make appointments that reflect state demographic and
303 population trends. The board of directors shall be composed of
304 16 persons, as follows:

305 1. Four public member school representatives, one elected
306 from among its public school representative members within each
307 of the four administrative regions.

308 2. Four nonpublic member school representatives, one
309 elected from among its nonpublic school representative members
310 within each of the four administrative regions.

311 3. Three representatives appointed by the commissioner,
312 one appointed from the two northernmost administrative regions
313 and one appointed from the two southernmost administrative
314 regions. The third representative shall be appointed to balance
315 the board for diversity or state population trends, or both.

316 4. Two district school superintendents, one elected from
317 the two northernmost administrative regions by the members in
318 those regions and one elected from the two southernmost
319 administrative regions by the members in those regions.

320 5. Two district school board members, one elected from the
321 two northernmost administrative regions by the members in those
322 regions and one elected from the two southernmost administrative
323 regions by the members in those regions.

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324 6. The commissioner or his or her designee from the
325 department executive staff.

326 (b) A quorum of the board of directors shall consist of
327 nine members.

328 (c) The board of directors shall elect a president and a
329 vice president from among its members. These officers shall also
330 serve as officers of the FHSAA ~~organization~~.

331 (d) Members of the board of directors shall serve terms of
332 3 years and are eligible to succeed themselves only once. A
333 member of the board of directors, other than the commissioner or
334 his or her designee, may serve a maximum of 6 consecutive years.
335 The FHSAA's ~~organization's~~ bylaws shall establish a rotation of
336 terms to ensure that a majority of the members' terms do not
337 expire concurrently.

338 (e) The authority and duties of the board of directors,
339 acting as a body and in accordance with the FHSAA's
340 ~~organization's~~ bylaws, are as follows:

341 1. To act as the incorporated FHSAA's ~~organization's~~ board
342 of directors and to fulfill its obligations as required by the
343 FHSAA's ~~organization's~~ charter and articles of incorporation.

344 2. To establish such guidelines, regulations, policies,
345 and procedures as are authorized by the bylaws.

346 3. To employ ~~provide~~ an FHSAA executive director
347 ~~organization commissioner~~, who shall have the authority to waive
348 the bylaws of the FHSAA ~~organization~~ in order to comply with
349 statutory changes.

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350 4. To levy annual dues and other fees and to set the
351 percentage of contest receipts to be collected by the FHSAA
352 ~~organization~~.

353 5. To approve the budget of the FHSAA ~~organization~~.

354 6. To organize and conduct statewide interscholastic
355 competitions, which may or may not lead to state championships,
356 and to establish the terms and conditions for these
357 competitions.

358 7. To act as an administrative board in the interpretation
359 of, and final decision on, all questions and appeals arising
360 from the directing of interscholastic athletics of member
361 schools.

362 (5) REPRESENTATIVE ASSEMBLY.—

363 (a) The legislative authority of the FHSAA ~~organization~~ is
364 vested in its representative assembly.

365 (b) The representative assembly shall be composed of the
366 following:

367 1. An equal number of member school representatives from
368 each of the four administrative regions.

369 2. Four district school superintendents, one elected from
370 each of the four administrative regions by the district school
371 superintendents in their respective administrative regions.

372 3. Four district school board members, one elected from
373 each of the four administrative regions by the district school
374 board members in their respective administrative regions.

375 4. The commissioner or his or her designee from the
376 department executive staff.

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377 (c) The FHSAA's ~~organization's~~ bylaws shall establish the
378 number of member school representatives to serve in the
379 representative assembly from each of the four administrative
380 regions and shall establish the method for their selection.

381 (d) No member of the board of directors other than the
382 commissioner or his or her designee can serve in the
383 representative assembly.

384 (e) The representative assembly shall elect a chairperson
385 and a vice chairperson from among its members.

386 (f) Elected members of the representative assembly shall
387 serve terms of 2 years and are eligible to succeed themselves
388 for two additional terms. An elected member, other than the
389 commissioner or his or her designee, may serve a maximum of 6
390 consecutive years in the representative assembly.

391 (g) A quorum of the representative assembly consists of
392 one more than half of its members.

393 (h) The authority of the representative assembly is
394 limited to its sole duty, which is to consider, adopt, or reject
395 any proposed amendments to the FHSAA's ~~organization's~~ bylaws.

396 (i) The representative assembly shall meet as a body
397 annually. A two-thirds majority of the votes cast by members
398 present is required for passage of any proposal.

399 (6) PUBLIC LIAISON ADVISORY COMMITTEE.—

400 (a) The FHSAA ~~organization~~ shall establish, sustain, fund,
401 and provide staff support to a public liaison advisory committee
402 composed of the following:

- 403 1. The commissioner or his or her designee.
- 404 2. A member public school principal.

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- 405 3. A member private school principal.
- 406 4. A member school principal who is a member of a racial
407 minority.
- 408 5. An active athletic director.
- 409 6. An active coach, who is employed full time by a member
410 school.
- 411 7. A student athlete.
- 412 8. A district school superintendent.
- 413 9. A district school board member.
- 414 10. A member of the Florida House of Representatives.
- 415 11. A member of the Florida Senate.
- 416 12. A parent of a high school student.
- 417 13. A member of a home education association.
- 418 14. A representative of the business community.
- 419 15. A representative of the news media.

420 (b) No member of the board of directors, committee on
421 appeals, or representative assembly is eligible to serve on the
422 public liaison advisory committee.

423 (c) The public liaison advisory committee shall elect a
424 chairperson and vice chairperson from among its members.

425 (d) The authority and duties of the public liaison
426 advisory committee are as follows:

- 427 1. To act as a conduit through which the general public
428 may have input into the decisionmaking process of the FHSAA
429 ~~organization~~ and to assist the FHSAA ~~organization~~ in the
430 development of procedures regarding the receipt of public input
431 and disposition of complaints related to high school athletic
432 and competition programs.

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433 2. To conduct public hearings annually in each of the four
434 administrative regions during which interested parties may
435 address issues regarding the effectiveness of the rules,
436 operation, and management of the FHSAA ~~organization~~.

437 3. To conduct an annual evaluation of the FHSAA
438 ~~organization~~ as a whole and present a report of its findings,
439 conclusion, and recommendations to the board of directors, to
440 the commissioner, and to the respective education committees of
441 the Florida Senate and the Florida House of Representatives. The
442 recommendations must delineate policies and procedures that will
443 improve the implementation and oversight of high school athletic
444 programs by the FHSAA ~~organization~~.

445 (e) The public liaison advisory committee shall meet four
446 times annually. Additional meetings may be called by the
447 committee chairperson, the FHSAA ~~organization~~ president, or the
448 FHSAA executive director ~~organization commissioner~~.

449 (7) APPEALS.—

450 (a) The FHSAA ~~organization~~ shall establish a procedure of
451 due process which ensures each student the opportunity to appeal
452 an unfavorable ruling with regard to his or her eligibility to
453 compete. Unless a major infraction as defined by the FHSAA
454 bylaws, the initial appeal shall be made to a committee on
455 appeals within the administrative region in which the student
456 lives. The FHSAA's ~~organization's~~ bylaws shall establish the
457 number, size, and composition of each ~~the~~ committee on appeals.

458 (b) No member of the board of directors is eligible to
459 serve on the committee on appeals.

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460 (c) Members of the committee on appeals shall serve terms
461 of 3 years and are eligible to succeed themselves only once. A
462 member of the committee on appeals may serve a maximum of 6
463 consecutive years. The FHSAA's ~~organization's~~ bylaws shall
464 establish a rotation of terms to ensure that a majority of the
465 members' terms do not expire concurrently.

466 (d) The authority and duties of the committee on appeals
467 shall be to consider requests by member schools seeking
468 exceptions to bylaws and regulations, to hear undue hardship
469 eligibility cases filed by member schools on behalf of student
470 athletes, and to hear appeals filed by member schools or student
471 athletes.

472 (e) A student athlete or member school that receives an
473 unfavorable ruling from a committee on appeals shall be entitled
474 to appeal that decision to the board of directors at its next
475 regularly scheduled meeting or called meeting. The board of
476 directors shall have the authority to uphold, reverse, or amend
477 the decision of the committee on appeals. In all such cases, the
478 decision of the board of directors shall be final.

479 (f) The FHSAA shall expedite the appeals process on
480 determinations of ineligibility so that disposition of the
481 appeal can be made before the end of the applicable sports
482 season, if possible.

483 (g) In any appeal from a decision on eligibility made by
484 the executive director or a designee, a school or student
485 athlete filing the appeal must be permitted to present
486 information and evidence in support of his or her position if
487 the evidence was not available at the time of the initial

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488 determination or if the determination was not made by an
489 unbiased objective person using a process allowing full due
490 process rights to be heard and to present evidence. If evidence
491 is presented on appeal, a de novo decision must be made by the
492 committee or board hearing the appeal, or the determination may
493 be suspended and the matter be remanded for a new determination
494 based on all the evidence. If a de novo decision is made on
495 appeal, the decision must be made in writing, setting forth the
496 findings of fact and specific violation upon which the decision
497 is based. If a de novo decision is not required, the decision
498 appealed from must be set aside if the decision on ineligibility
499 was not based on clear and convincing evidence. Any further
500 appeal shall be considered on a record that includes all
501 evidence presented.

502 (8) AMENDMENT OF BYLAWS.—Each member school
503 representative, the board of directors acting as a whole or as
504 members acting individually, any advisory committee acting as a
505 whole to be established by the FHSAA organization, and the
506 FHSAA's executive director organization's commissioner are
507 empowered to propose amendments to the bylaws. Any other
508 individual may propose an amendment by securing the sponsorship
509 of any of the aforementioned individuals or bodies. All proposed
510 amendments must be submitted directly to the representative
511 assembly for its consideration. The representative assembly,
512 while empowered to adopt, reject, or revise proposed amendments,
513 may not, in and of itself, as a body be allowed to propose any
514 amendment for its own consideration.

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515 ~~(9) RULES ADOPTION. The bylaws of the organization shall~~
516 ~~require member schools to adopt rules for sports, which have~~
517 ~~been established by a nationally recognized sanctioning body,~~
518 ~~unless waived by at least a two-thirds vote of the board of~~
519 ~~directors.~~

520 Section 4. Paragraph (g) is added to subsection (2) of
521 section 1012.468, Florida Statutes, to read:

522 1012.468 Exceptions to certain fingerprinting and criminal
523 history checks.—

524 (2) A district school board shall exempt from the
525 screening requirements set forth in ss. 1012.465 and 1012.467
526 the following noninstructional contractors:

527 (g) An investigator for the Florida High School Athletic
528 Association (FHSAA) who meets the requirements under s.
529 1006.20(2)(e).

530 Section 5. This act shall take effect July 1, 2012.

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

535

Remove the entire title and insert:

536

A bill to be entitled

537

An act relating to high school athletics; amending s.

538

1002.20, F.S.; conforming provisions; amending s.

539

1006.15, F.S.; authorizing students attending certain

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private schools to participate in public school

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athletic programs if the private school does not offer

542

the particular sport offered at the public school;

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543 including guidelines relating to student transfers;
544 requiring certain private schools that have students
545 participating in public school athletic programs to
546 make all student records available upon request;
547 increasing the private school enrollment limitation
548 for participation in public school athletic programs;
549 authorizing students to participate through private
550 member schools as well as public schools according to
551 Florida High School Athletic Association (FHSAA)
552 bylaws; amending s. 1006.20, F.S.; authorizing high
553 schools, including charter schools, virtual schools,
554 and home education cooperatives, to become members of
555 the FHSAA; requiring the FHSAA to adopt bylaws to
556 allow a student who obtains an approved transfer to
557 participate in athletics; authorizing certain
558 penalties for a recruiting violation by a private
559 school; requiring the FHSAA to adopt bylaws to
560 regulate investigators and sanction coaches who commit
561 major violations; specifying sanctions and procedures;
562 requiring the FHSAA to adopt bylaws regulating the
563 process of FHSAA determinations of eligibility;
564 requiring the FHSAA to adopt bylaws providing certain
565 procedural safeguards; prohibiting FHSAA bylaws from
566 prospectively limiting the competition of certain
567 student athletes and from unfairly punishing student
568 athletes for violations perpetrated by a teammate,
569 coach, or administrator; providing requirements for
570 the forfeiture of contests under certain conditions;

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1403 (2012)

Amendment 1

571 requiring an expedited appeals process on
572 determinations of ineligibility; authorizing a school
573 or student athlete filing an appeal to present
574 information and evidence; providing procedural
575 requirements for the presentation of evidence on
576 appeal; providing requirements for de novo decisions
577 on appeal; amending s. 1012.468, F.S.; providing
578 background screening exceptions for certain
579 investigators for the FHSAA; providing an effective
580 date; providing an effective date.