

By the Committee on Education Pre-K - 12; and Senator Wise

581-02629-12

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1 A bill to be entitled
2 An act relating to high school athletics; amending s.
3 1006.15, F.S.; expanding the eligibility of certain
4 students in private schools to participate in sports
5 programs in public schools; amending ss. 1006.165 and
6 1006.18, F.S.; requiring private schools that are
7 members of the Sunshine Independent Athletic
8 Association to comply with certain requirements for
9 having an operational automated external defibrillator
10 on school grounds and to comply with cheerleader
11 safety standards; amending s. 1006.20, F.S.;
12 designating the Sunshine Independent Athletic
13 Association as the governing nonprofit organization of
14 athletics in private schools in this state; revising
15 provisions relating to the bylaws of the Florida High
16 School Athletic Association and providing for
17 organization, authority, and duties of the Sunshine
18 Independent Athletic Association; requiring the bylaws
19 of both associations to allow certain students who
20 transfer to a private school to participate in sports
21 offered by the school; requiring such bylaws to
22 regulate investigators used by the associations and
23 providing restrictions on investigations that are
24 conducted; requiring such bylaws to allow coaches to
25 coach in outside youth sports organizations;
26 prohibiting the Florida High School Athletic
27 Association from denying or discouraging
28 interscholastic competition between public and private
29 schools; providing for annual interscholastic

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30 competition championships between public and private
31 high schools for each sport and competition level
32 offered in public and private high schools in this
33 state; providing procedures for appeals to the
34 Sunshine Independent Athletic Association; requiring
35 that appeals to a committee on appeals for the Florida
36 High School Athletic Association or the Sunshine
37 Independent Athletic Association be held in the county
38 where the appellant's school is located; requiring
39 that an appeals process be expedited, if possible;
40 providing for the composition of a committee on
41 appeals for the Sunshine Independent Athletic
42 Association; creating a board of directors of the
43 Sunshine Independent Athletic Association and
44 providing authority and duties of the board; providing
45 for the composition of the board membership;
46 authorizing any high school in this state, including a
47 virtual school or a home-education cooperative, to
48 become a member of the Florida High School Athletic
49 Association or the Sunshine Independent Athletic
50 Association; prohibiting a public high school from
51 joining the Sunshine Independent Athletic Association;
52 providing for the use of fines collected by either
53 association; amending s. 1012.467, F.S.; requiring
54 school districts to accept reciprocity of the level 2
55 screening for Sunshine Independent Athletic
56 Association officials; amending s. 1012.55, F.S.;

57 adding approved sports safety courses by the Sunshine
58 Independent Athletic Association to the list of

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59 required school district inservice instruction for
60 athletic coaching certification; providing an
61 effective date.

62
63 Be It Enacted by the Legislature of the State of Florida:

64
65 Section 1. Subsection (8) of section 1006.15, Florida
66 Statutes, is amended to read:

67 1006.15 Student standards for participation in
68 interscholastic and intrascholastic extracurricular student
69 activities; regulation.—

70 (8) (a) The Florida High School Athletic Association (FHSAA)
71 and the Sunshine Independent Athletic Association (SIAA), in
72 cooperation with each district school board, shall facilitate a
73 program in which a middle school or high school student who
74 attends a private school shall be eligible to participate in an
75 interscholastic or intrascholastic sport at a public high
76 school, a public middle school, or a 6-12 public school that is
77 zoned for the physical address at which the student resides if:

78 1. The private school in which the student is enrolled is
79 not a member of the FHSAA or the SIAA and does not offer an
80 interscholastic or intrascholastic athletic program or does not
81 offer a specific sport that is offered at the public school.

82 2. The private school student meets the guidelines for the
83 conduct of the program established by the FHSAA's board of
84 directors or the SIAA's board of directors and the district
85 school board. At a minimum, such guidelines shall provide:

86 a. A deadline for each sport by which the private school
87 student's parents must register with the public school in

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88 writing their intent for their child to participate at that
89 school in the sport.

90 b. Requirements for a private school student to
91 participate, including, but not limited to, meeting the same
92 standards of eligibility, acceptance, behavior, educational
93 progress, and performance which apply to other students
94 participating in interscholastic or intrascholastic sports at a
95 public school or FHSAA or SIAA member private school.

96 (b) The parents of a private school student participating
97 in a public school sport under this subsection are responsible
98 for transporting their child to and from the public school at
99 which the student participates. The private school the student
100 attends, the public school at which the student participates in
101 a sport, the district school board, ~~and~~ the FHSAA, and the SIAA
102 are exempt from civil liability arising from any injury that
103 occurs to the student during such transportation.

104 (c) For each academic year, a private school student may
105 only participate at the public school in which the student is
106 first registered under sub-subparagraph (a)2.a. or makes himself
107 or herself a candidate for an athletic team by engaging in a
108 practice or to which the student has obtained an approved
109 transfer request from the district school board at any time
110 during the school year.

111 (d) The athletic director of each participating FHSAA or
112 SIAA member public school shall maintain the student records
113 necessary for eligibility, compliance, and participation in the
114 program.

115 (e) Any non-FHSAA or non-SIAA member private school that
116 has a student who is participating ~~wishes to participate~~ in this

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117 program must make all student records, including, but not
118 limited to, academic, ~~financial~~, disciplinary, and attendance
119 records, available upon request of the FHSAA or the SIAA.

120 (f) A student must apply to participate in this program
121 through the FHSAA or SIAA program application process.

122 (g) Only students who are enrolled in non-FHSAA or non-SIAA
123 member private schools consisting of 125 students or fewer are
124 eligible to participate in the program in any given academic
125 year.

126 Section 2. Subsection (1) of section 1006.165, Florida
127 Statutes, is amended to read:

128 1006.165 Automated external defibrillator; user training.—

129 (1) Each public school that is a member of the Florida High
130 School Athletic Association or the Sunshine Independent Athletic
131 Association must have an operational automated external
132 defibrillator on the school grounds. Public and private
133 partnerships are encouraged to cover the cost associated with
134 the purchase and placement of the defibrillator and training in
135 the use of the defibrillator.

136 Section 3. Section 1006.18, Florida Statutes, is amended to
137 read:

138 1006.18 Cheerleader safety standards.—The Florida High
139 School Athletic Association and the Sunshine Independent
140 Athletic Association or successor organization shall adopt
141 statewide uniform safety standards for student cheerleaders and
142 spirit groups that participate in any school activity or
143 extracurricular student activity. The Florida High School
144 Athletic Association and the Sunshine Independent Athletic
145 Association or successor organization shall adopt the "Official

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146 High School Spirit Rules," published by the National Federation
147 of State High School Associations, as the statewide uniform
148 safety standards.

149 Section 4. Section 1006.20, Florida Statutes, is amended to
150 read:

151 1006.20 Athletics in ~~public~~ K-12 schools.—

152 (1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High
153 School Athletic Association and the Sunshine Independent
154 Athletic Association are each ~~is~~ designated as a ~~the~~ governing
155 nonprofit organization of athletics in Florida public schools.
156 The Sunshine Independent Athletic Association is designated as a
157 governing nonprofit organization of athletics in private
158 schools. If the Florida High School Athletic Association or the
159 Sunshine Independent Athletic Association fails to meet the
160 provisions of this section, the commissioner shall designate a
161 nonprofit organization to replace that organization and govern
162 athletics with the approval of the State Board of Education. The
163 organizations are ~~organization is not to be a state agencies~~
164 ~~agency~~ as defined in s. 120.52. Each ~~The~~ organization shall be
165 subject to the provisions of s. 1006.19. A private school that
166 wishes to engage in high school athletic competition with a
167 public high school may become a member of the organization. The
168 bylaws of each ~~the~~ organization must ~~are to~~ be the rules by
169 which high school athletic programs in its member schools, and
170 the students who participate in them, are governed, unless
171 otherwise specifically provided by statute. For the purposes of
172 this section, "high school" includes grades 6 through 12.

173 (2) ADOPTION OF BYLAWS.—

174 (a) Each ~~The~~ organization shall adopt bylaws that, unless

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175 specifically provided by statute, establish eligibility
176 requirements for all students who participate in high school
177 athletic competition in its member schools. The bylaws governing
178 residence and transfer shall allow the student to be eligible in
179 the school in which he or she first enrolls each school year,
180 the school in which the student ~~or~~ makes himself or herself a
181 candidate for an athletic team by engaging in a practice before
182 prior to enrolling in the any member school, or the school to
183 which the student has obtained an approved transfer request from
184 the district school board at any time during the school year.
185 The bylaws shall also allow a student who transfers from a
186 public school to a private school during the school year to
187 participate in any sport offered by the private school. If it is
188 determined that a private school has recruited a student, the
189 private school may participate in a higher competitive division
190 for the sport in which the student competes if the private
191 school pays the appropriate fine. A student's eligibility to
192 participate in competition in a school under this paragraph
193 continues as ~~The student shall be eligible in that school so~~
194 long as he or she remains enrolled in that school. Subsequent
195 eligibility shall be determined and enforced through the
196 organization's bylaws.

197 (b) Each ~~The~~ organization shall adopt bylaws that
198 specifically prohibit the recruiting of students for athletic
199 purposes. The bylaws shall prescribe penalties and an appeals
200 process for athletic recruiting violations.

201 (c) Each ~~The~~ organization shall adopt bylaws that require
202 all students participating in interscholastic athletic
203 competition or who are candidates for an interscholastic

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204 athletic team to satisfactorily pass a medical evaluation each
205 year before ~~prior to~~ participating in interscholastic athletic
206 competition or engaging in any practice, tryout, workout, or
207 other physical activity associated with the student's candidacy
208 for an interscholastic athletic team. Such medical evaluation
209 may ~~can only~~ be administered only by a practitioner licensed
210 under ~~the provisions of~~ chapter 458, chapter 459, chapter 460,
211 or s. 464.012, and in good standing with the practitioner's
212 regulatory board. The bylaws shall establish requirements for
213 eliciting a student's medical history and performing the medical
214 evaluation required under this paragraph, which shall include a
215 physical assessment of the student's physical capabilities to
216 participate in interscholastic athletic competition as contained
217 in a uniform preparticipation physical evaluation and history
218 form. The evaluation form shall incorporate the recommendations
219 of the American Heart Association for participation
220 cardiovascular screening and shall provide a place for the
221 signature of the practitioner performing the evaluation with an
222 attestation that each examination procedure listed on the form
223 was performed by the practitioner or by someone under the direct
224 supervision of the practitioner. The form shall also contain a
225 place for the practitioner to indicate if a referral to another
226 practitioner was made in lieu of completion of a certain
227 examination procedure. The form shall provide a place for the
228 practitioner to whom the student was referred to complete the
229 remaining sections and attest to that portion of the
230 examination. The preparticipation physical evaluation form shall
231 advise students to complete a cardiovascular assessment and
232 shall include information concerning alternative cardiovascular

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233 evaluation and diagnostic tests. Results of such medical
234 evaluation must be provided to the school. No student shall be
235 eligible to participate in any interscholastic athletic
236 competition or engage in any practice, tryout, workout, or other
237 physical activity associated with the student's candidacy for an
238 interscholastic athletic team until the results of the medical
239 evaluation have been received and approved by the school.

240 (d) Notwithstanding the provisions of paragraph (c), a
241 student may participate in interscholastic athletic competition
242 or be a candidate for an interscholastic athletic team if the
243 parent of the student objects in writing to the student
244 undergoing a medical evaluation because such evaluation is
245 contrary to his or her religious tenets or practices. However,
246 in such case, there shall be no liability on the part of any
247 person or entity in a position to otherwise rely on the results
248 of such medical evaluation for any damages resulting from the
249 student's injury or death arising directly from the student's
250 participation in interscholastic athletics where an undisclosed
251 medical condition that would have been revealed in the medical
252 evaluation is a proximate cause of the injury or death.

253 (e) Each organization shall adopt bylaws that regulate
254 persons who conduct investigations. Such bylaws shall include
255 provisions that require investigators to:

256 1. Undergo a background check before being hired and be
257 issued and carry a photo identification card that shows the
258 association name and logo and the person's job title.

259 2. Adhere to the following guidelines:

260 a. Interviews may be conducted only on Monday through
261 Friday between the hours of 7 a.m. and 9 p.m. and Saturday and

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262 Sunday between the hours of 10 a.m. and 6 p.m.

263 b. Searches of residences or other private areas may be
264 conducted only with the written approval of the person being
265 investigated.

266 c. The parent of a person being interviewed may be present
267 at the interview.

268 d. A person of interest being interviewed may have legal
269 counsel present at an interview. However, the attorney may not
270 participate in the interview or object to a question, other than
271 to advise the person not to answer a question.

272 (f) Each organization shall adopt bylaws that allow a coach
273 employed in a school that is a member of the organization to
274 also coach or otherwise volunteer for a community, church, or
275 other outside youth sports organization if such outside activity
276 does not conflict with his or her obligations with the employer.
277 Sanctions may not be placed on a coach or a student
278 participating in an activity authorized under this paragraph and
279 a student is eligible to participate in a school sport under the
280 direction of the coach.

281 (3) GOVERNING STRUCTURE OF EACH ~~THE~~ ORGANIZATION.—

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

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

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291 same school.

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

298 (4) BOARD OF DIRECTORS; FLORIDA HIGH SCHOOL ATHLETIC
299 ASSOCIATION.—

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

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

311 2. Four nonpublic member school representatives, one
312 elected from among its nonpublic school representative members
313 within each of the four administrative regions.

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

319 4. Two district school superintendents, one elected from

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320 the two northernmost administrative regions by the members in
321 those regions and one elected from the two southernmost
322 administrative regions by the members in those regions.

323 5. Two district school board members, one elected from the
324 two northernmost administrative regions by the members in those
325 regions and one elected from the two southernmost administrative
326 regions by the members in those regions.

327 6. The commissioner or his or her designee from the
328 department executive staff.

329 (b) A quorum of the board of directors shall consist of
330 nine members.

331 (c) The board of directors shall elect a president and a
332 vice president from among its members. These officers shall also
333 serve as officers of the organization.

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

341 (e) The authority and duties of the board of directors,
342 acting as a body and in accordance with the organization's
343 bylaws, are as follows:

344 1. To act as the incorporated organization's board of
345 directors and to fulfill its obligations as required by the
346 organization's charter and articles of incorporation.

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

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349 3. To provide an organization commissioner, who shall have
350 the authority to waive the bylaws of the organization in order
351 to comply with statutory changes.

352 4. To levy annual dues and other fees and to set the
353 percentage of contest receipts to be collected by the
354 organization.

355 5. To approve the budget of the organization.

356 6. To organize and conduct statewide interscholastic
357 competitions, which may or may not lead to state championships,
358 and to establish the terms and conditions for these
359 competitions. The Florida High School Athletic Association may
360 not deny or discourage interscholastic competition between its
361 members and members of the Sunshine Independent Athletic
362 Association, and may not take any retributory or discriminatory
363 action against any of its members who engage in interscholastic
364 competition with members of the Sunshine Independent Athletic
365 Association. The associations shall conduct annual state
366 interscholastic championship competitions for each sport and
367 competition level offered at their member schools.

368 7. To act as an administrative board in the interpretation
369 of, ~~and final decision on,~~ all questions and appeals arising
370 from the directing of interscholastic athletics of member
371 schools.

372 (5) REPRESENTATIVE ASSEMBLY; FLORIDA HIGH SCHOOL ATHLETIC
373 ASSOCIATION.—

374 (a) The legislative authority of the organization is vested
375 in its representative assembly.

376 (b) The representative assembly shall be composed of the
377 following:

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378 1. An equal number of member school representatives from
379 each of the four administrative regions.

380 2. Four district school superintendents, one elected from
381 each of the four administrative regions by the district school
382 superintendents in their respective administrative regions.

383 3. Four district school board members, one elected from
384 each of the four administrative regions by the district school
385 board members in their respective administrative regions.

386 4. The commissioner or his or her designee from the
387 department executive staff.

388 (c) The organization's bylaws shall establish the number of
389 member school representatives to serve in the representative
390 assembly from each of the four administrative regions and shall
391 establish the method for their selection.

392 (d) A ~~No~~ member of the board of directors, other than the
393 commissioner or his or her designee, may not ~~can~~ serve in the
394 representative assembly.

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

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

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

404 (h) The authority of the representative assembly is limited
405 to its sole duty, which is to consider, adopt, or reject any
406 proposed amendments to the organization's bylaws.

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

410 (6) PUBLIC LIAISON ADVISORY COMMITTEE; FLORIDA HIGH SCHOOL
411 ATHLETIC ASSOCIATION.—

412 (a) The organization shall establish, sustain, fund, and
413 provide staff support to a public liaison advisory committee
414 composed of the following:

- 415 1. The commissioner or his or her designee.
- 416 2. A member public school principal.
- 417 3. A member private school principal.
- 418 4. A member school principal who is a member of a racial
419 minority.
- 420 5. An active athletic director.
- 421 6. An active coach, who is employed full time by a member
422 school.
- 423 7. A student athlete.
- 424 8. A district school superintendent.
- 425 9. A district school board member.
- 426 10. A member of the Florida House of Representatives.
- 427 11. A member of the Florida Senate.
- 428 12. A parent of a high school student.
- 429 13. A member of a home education association.
- 430 14. A representative of the business community.
- 431 15. A representative of the news media.

432 (b) A ~~No~~ member of the board of directors, committee on
433 appeals, or representative assembly is not eligible to serve on
434 the public liaison advisory committee.

435 (c) The public liaison advisory committee shall elect a

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436 chairperson and vice chairperson from among its members.

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

439 1. To act as a conduit through which the general public may
440 have input into the decisionmaking process of the organization
441 and to assist the organization in the development of procedures
442 regarding the receipt of public input and disposition of
443 complaints related to high school athletic and competition
444 programs.

445 2. To conduct public hearings annually in each of the four
446 administrative regions during which interested parties may
447 address issues regarding the effectiveness of the rules,
448 operation, and management of the organization.

449 3. To conduct an annual evaluation of the organization as a
450 whole and present a report of its findings, conclusion, and
451 recommendations to the board of directors, to the commissioner,
452 and to the respective education committees of the Florida Senate
453 and the Florida House of Representatives. The recommendations
454 must delineate policies and procedures that will improve the
455 implementation and oversight of high school athletic programs by
456 the organization.

457 (e) The public liaison advisory committee shall meet four
458 times annually. Additional meetings may be called by the
459 committee chairperson, the organization president, or the
460 organization commissioner.

461 (7) APPEALS.—

462 (a) Each ~~The~~ organization shall establish a procedure of
463 due process which ensures each student the opportunity to appeal
464 an unfavorable ruling with regard to his or her eligibility to

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465 compete. The initial appeal shall be made to a committee on
466 appeals within the administrative region in which the student
467 lives. Each ~~The~~ organization's bylaws shall establish the
468 number, size, and composition of the committee on appeals.

469 (b) A ~~No~~ member of the board of directors is not eligible
470 to serve on the committee on appeals.

471 (c) Members of the committee on appeals shall serve terms
472 of 3 years and are eligible to succeed themselves only once. A
473 member of the committee on appeals may serve a maximum of 6
474 consecutive years. Each ~~The~~ organization's bylaws shall
475 establish a rotation of terms to ensure that a majority of the
476 members' terms do not expire concurrently.

477 (d) The authority and duties of the committee on appeals
478 shall be to consider requests by member schools seeking
479 exceptions to bylaws and regulations, to hear undue hardship
480 eligibility cases filed by member schools on behalf of student
481 athletes, and to hear appeals filed by member schools.

482 (e) A student athlete or member school that receives an
483 unfavorable ruling from a committee on appeals shall be entitled
484 to appeal that decision to the district school board ~~of~~
485 ~~directors~~ at its next regularly scheduled meeting or called
486 meeting. The district school board has ~~of directors~~ ~~shall have~~
487 the authority to uphold, reverse, or amend the decision of the
488 committee on appeals. In all such cases, the decision of the
489 district school board is ~~of directors~~ ~~shall be~~ final.

490 (f) Each organization shall expedite the appeals process so
491 that disposition of the appeal can be made before the end of the
492 applicable sports season, if possible.

493 (g) Notwithstanding paragraph (a), the committee on appeals

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494 of the Sunshine Independent Athletic Association shall be
495 composed of 10 persons as follows:

496 1. Three members appointed by the Governor.

497 2. Three members appointed by the President of the Senate.

498 3. Three members appointed by the Speaker of the House of
499 Representatives.

500 4. The commissioner or his or her designee, who shall serve
501 as a nonvoting member.

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

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

519 (10) BOARD OF DIRECTORS; SUNSHINE INDEPENDENT ATHLETIC
520 ASSOCIATION.—

521 (a) The executive authority of the organization shall be
522 vested in its board of directors. Any entity that appoints

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523 members to the board of directors shall examine the ethnic and
524 demographic composition of the board when selecting candidates
525 for appointment and shall, to the extent possible, make
526 appointments that reflect state demographic and population
527 trends. The board of directors shall be composed of 16 persons,
528 as follows:

529 1. Four charter school representatives, one elected from
530 among its public school representative members within each of
531 the four administrative regions for public schools.

532 2. Four private member school representatives, one elected
533 from among its private school representative members within each
534 of the four administrative regions for public schools.

535 3. Three representatives appointed by the commissioner, one
536 appointed from the two northernmost administrative regions, one
537 appointed from the two southernmost administrative regions, and
538 one appointed from the public schools that can balance the board
539 for diversity or state population trends, or both.

540 4. Two school headmasters, one elected from the two
541 northernmost administrative regions by the private school
542 members in those regions and one elected from the two
543 southernmost administrative regions by the private school
544 members in those regions.

545 5. Two private school governing board members, one elected
546 from the two northernmost administrative regions by the private
547 school members in those regions and one elected from the two
548 southernmost administrative regions by the private school
549 members in those regions.

550 6. The commissioner, or his or her designee from the
551 department executive staff.

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552 7. The initial appointments to the board must be made by
553 October 1, 2012.

554 (b) A quorum of the board of directors shall consist of
555 nine members.

556 (c) The board of directors shall elect a president and a
557 vice president from among its members. These officers shall also
558 serve as officers of the organization.

559 (d) Members of the board of directors shall serve terms of
560 3 years and are eligible to succeed themselves only once. The
561 organization's bylaws shall establish a rotation of terms to
562 ensure that a majority of the members' terms do not expire
563 concurrently.

564 (e) The authority and duties of the board of directors,
565 acting as a body and in accordance with the organization's
566 bylaws, are as follows:

567 1. To act as the incorporated organization's board of
568 directors and to fulfill its obligations as required by the
569 organization's charter and articles of incorporation.

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

572 3. To provide an organization commissioner, who may waive
573 the bylaws of the organization in order to comply with statutory
574 changes.

575 4. To levy annual dues and other fees and to set the
576 percentage of contest receipts to be collected by the
577 organization.

578 5. To approve the budget of the organization.

579 6. To organize and conduct statewide interscholastic
580 competitions.

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581 7. To act as an administrative board in the interpretation
582 of all questions and appeals arising from the directing of
583 interscholastic athletics of member schools.

584 (11) MEMBERSHIP.—Notwithstanding any law to the contrary,
585 any high school in this state, including a virtual school, a
586 home-education cooperative, or a charter school, may become a
587 member of the Florida High School Athletic Association or the
588 Sunshine Independent Athletic Association and participate in the
589 activities of that organization. However, a public high school
590 other than a charter school may not join the Sunshine
591 Independent Athletic Association.

592 (a) Membership in an association is not mandatory for any
593 high school.

594 (b) A high school may be a member of only one organization
595 at a time. A high school may apply for membership to the other
596 organization, but may not join, and dues are not owed until the
597 current membership expires.

598 (12) FINES.—Any fines collected by either organization
599 shall be deposited as follows:

600 (a) Forty percent into the Educational Enhancement Trust
601 Fund.

602 (b) Thirty percent into the school district's education
603 foundation for the educational benefit of all students in the
604 school district.

605 (c) Thirty percent to the association that levies the fine.

606 Section 5. Paragraph (a) of subsection (7) of section
607 1012.467, Florida Statutes, is amended to read:

608 1012.467 Noninstructional contractors who are permitted
609 access to school grounds when students are present; background

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610 screening requirements.—

611 (7) (a) The Department of Law Enforcement shall implement a
612 system that allows for the results of a criminal history check
613 provided to a school district to be shared with other school
614 districts through a secure Internet website or other secure
615 electronic means. The Department of Law Enforcement may adopt
616 rules under ss. 120.536(1) and 120.54 to implement this
617 paragraph. School districts must accept reciprocity of level 2
618 screenings for Florida High School Athletic Association or
619 Sunshine Independent Athletic Association officials.

620 Section 6. Paragraph (b) of subsection (2) of section
621 1012.55, Florida Statutes, is amended to read:

622 1012.55 Positions for which certificates required.—

623 (2)

624 (b) Completion of a sports safety course shall count for 6
625 hours of required school district inservice instruction for
626 athletic coaching certification if the course is approved by the
627 Florida High School Athletic Association Board of Directors or
628 the Sunshine Independent Athletic Association Board of Directors
629 and meets the following requirements:

630 1. The course consists of at least eight modules.

631 2. The course immediately provides an individual with a
632 "merit" certificate at the time of successful completion.

633 3. The course is delivered through hands-on and online
634 teaching methods.

635 4. The course is a hands-on course taught by either a
636 state-licensed athletic trainer who holds a current certificate
637 from the Board of Certification or a member of the American
638 Academy of Orthopaedic Surgeons.

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- 639 5. Hands-on course material is less than 120 pages.
- 640 6. The course covers sports safety specifically, excluding
- 641 coaching principles and procedures for cardiopulmonary
- 642 resuscitation.
- 643 7. The course is authored or approved by at least 10 health
- 644 care professionals, including doctors of medicine, doctors of
- 645 osteopathy, registered nurses, physical therapists, and
- 646 certified athletic trainers.
- 647 8. The course is revised and reviewed for updates at least
- 648 once every 30 months.
- 649 9. The course is available to the general public for a
- 650 retail price under \$50.
- 651 10. Each course examination is automated and taken online
- 652 with a score of 80 percent or better for successful completion.
- 653 Section 7. This act shall take effect July 1, 2012.