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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/23/2014	.	
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The Committee on Appropriations (Grimsley) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 33 - 43

and insert:

Section 2. Subsection (3) of section 1003.4281, Florida Statutes, is amended to read:

1003.4281 Early high school graduation.—

(3) A student who graduates early may continue to participate in school activities, and social events, and school-  
authorized or education-related activities occurring during or



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11 outside of the regular instructional school day, regardless of  
12 location, and attend and participate in graduation events with  
13 the student's cohort, as if the student were still enrolled in  
14 high school. A student who graduates early will be included in  
15 class ranking, honors, and award determinations for the  
16 student's cohort. A student who graduates early must comply with  
17 district school board rules and policies regarding access to the  
18 school facilities and grounds during normal operating hours.

19 Section 3. Paragraph (b) of subsection (1) of section  
20 1003.4285, Florida Statutes, is amended to read:

21 1003.4285 Standard high school diploma designations.—

22 (1) Each standard high school diploma shall include, as  
23 applicable, the following designations if the student meets the  
24 criteria set forth for the designation:

25 (b) *Merit designation.*—In addition to the requirements of  
26 ss. 1003.428 and 1003.4282, as applicable, in order to earn the  
27 Merit designation, a student must attain two ~~one~~ or more  
28 industry certifications from the list established under s.  
29 1003.492.

30 Section 4. Subsection (1) and paragraphs (a), (b), and (f)  
31 of subsection (2) of section 1006.20, Florida Statutes, are  
32 amended to read:

33 1006.20 Athletics in public K-12 schools.—

34 (1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High  
35 School Athletic Association (FHSAA) is designated as the  
36 governing nonprofit organization of athletics in Florida public  
37 schools.

38 (a) If the FHSAA fails to meet the provisions of this  
39 section, the commissioner shall designate a nonprofit



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40 organization to govern athletics with the approval of the State  
41 Board of Education.

42 (b) The FHSAA is not a state agency as defined in s.  
43 120.52. The FHSAA is ~~shall be~~ subject to ~~the provisions of~~ s.  
44 1006.19.

45 (c) A private school that wishes to engage in high school  
46 athletic competition with a public high school may become a  
47 member of the FHSAA. Any high school in the state, including  
48 charter schools, virtual schools, and home education  
49 cooperatives, may become a member of the FHSAA and participate  
50 in the activities of the FHSAA. As used in this paragraph, the  
51 term "NFHS" means National Federation of State High School  
52 Associations. ~~However,~~

53 1. Membership in the FHSAA is not mandatory for any school.

54 2. The FHSAA may not deny or discourage interscholastic  
55 competition between its member schools and non-FHSAA member  
56 Florida schools, including members of another athletic governing  
57 organization, or out-of-state schools that are not members of  
58 high school athletic associations that are NFHS members or NFHS  
59 affiliate members. The FHSAA ~~and~~ may not take any retributory or  
60 discriminatory action against any of its member schools that  
61 participate in interscholastic competitions ~~competition~~ with  
62 non-FHSAA member Florida schools or out-of-state schools that  
63 are not affiliate members of the NFHS.

64 3. The FHSAA may not unreasonably withhold its approval of  
65 an application to become a NFHS ~~an~~ affiliate member which is ~~of~~  
66 ~~the National Federation of State High School Associations~~  
67 submitted by any other organization that governs interscholastic  
68 athletic competition in this state.



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69           (d) The bylaws of the FHSAA are the rules by which high  
70 school athletic programs in its member schools, and the students  
71 who participate in them, are governed, unless otherwise  
72 specifically provided by statute.

73           (e) As used in ~~For the purposes of~~ this section, the term  
74 "high school" includes grades 6 through 12.

75           (2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

76           (a) The FHSAA shall adopt bylaws that, unless otherwise  
77 specifically provided by the Florida Statutes statute, presume  
78 the establish eligibility of requirements for all students to  
79 who participate in the interscholastic high school athletic  
80 competitions of competition in its member schools and that  
81 specify a limited and enumerated list of violations that may  
82 result in the ineligibility of students to participate in any  
83 interscholastic athletic competition of its member schools. The  
84 bylaws must provide the following:

85           1. A governing residence and transfer shall allow the  
86 student remains to be eligible in the school in which he or she  
87 first enrolls each school year or the school in which the  
88 student makes himself or herself a candidate for an athletic  
89 team by engaging in a practice prior to enrolling in the school.

90           2. A The bylaws shall also allow the student is to be  
91 eligible to participate in interscholastic athletic competitions  
92 in the school to which the student has transferred during the  
93 school year if the transfer is made by a deadline established by  
94 the FHSAA, which may not be prior to the date authorized for the  
95 beginning of practice for the sport. These transfers shall be  
96 allowed pursuant to the district school board policies in the  
97 case of transfer to a public school or pursuant to the private



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98 school policies in the case of transfer to a private school. The  
99 student shall be eligible in that school so long as he or she  
100 remains enrolled in that school. Subsequent eligibility shall be  
101 determined and enforced through the FHSAA's bylaws. Requirements  
102 governing eligibility and transfer between member schools shall  
103 be applied similarly to public school students and private  
104 school students. A student may transfer schools for academic and  
105 athletic purposes if all other applicable eligibility and  
106 transfer requirements are met.

107 3. A student may not be declared ineligible to play in  
108 interscholastic athletic competitions based upon a violation of  
109 the FHSAA's recruitment policy or otherwise because the student:

110 a. Participated on a nonschool team or non-school teams  
111 affiliated with the school in which the student ultimately  
112 enrolls; or

113 b. Participated in nonschool athletic activities sponsored  
114 by a member school if, after participating, the student  
115 registers for, enrolls in, or applies to attend the sponsoring  
116 school.

117  
118 As used in this subparagraph, nonschool teams include, but are  
119 not limited to, club teams, travel teams, grade school teams,  
120 recreational league teams, personal instruction sessions, and  
121 summer camp teams. Nonschool athletic activities include, but  
122 are not limited to, activities at a summer camp nonschool  
123 athletic program.

124 (b) The FHSAA shall adopt bylaws that specifically prohibit  
125 the recruiting of students for athletic purposes. The  
126 restrictions applied to any recruiting activities shall be



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127 expressly listed and clearly defined in the bylaws adopted by  
128 the FHSAA. The bylaws must ~~shall~~ prescribe penalties and an  
129 appeals process for the enumerated athletic recruiting  
130 violations included in the bylaws.

131 1. If it is determined that a school has recruited a  
132 student in violation of FHSAA bylaws, the FHSAA may require the  
133 school to participate in a higher classification for the sport  
134 in which the recruited student competes for a minimum of one  
135 classification cycle, in addition to any other appropriate fine  
136 and sanction imposed on the school, its coaches, or adult  
137 representatives who violate recruiting rules.

138 2. A student may not be declared ineligible based on  
139 violation of recruiting rules unless the student or parent has  
140 falsified any enrollment or eligibility document or accepted any  
141 benefit or any promise of benefit if such benefit is not  
142 generally available to the school's students or family members  
143 or is based in any way on athletic interest, potential, or  
144 performance.

145 3. The mass distribution of untargeted mailings, electronic  
146 mailings, or preprinted guides or booklets by or on behalf of a  
147 member school which include detailed information regarding such  
148 member school's interscholastic athletic programs is not a  
149 violation of the FHSAA's athletic recruiting or sportsmanship  
150 policies.

151 (f) The FHSAA shall adopt bylaws that establish sanctions  
152 for a person ~~coaches~~ who commits ~~have committed~~ major violations  
153 of the FHSAA's bylaws and policies. As used in this paragraph,  
154 the term "person" means a coach, an administrator, an official,  
155 a faculty member, a member of the athletic staff, or any other



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156 individual engaged in representing, supporting, or promoting the  
157 athletic interests of a member school in an official capacity or  
158 unofficial, school-sanctioned capacity.

159       1. Major violations include, but are not limited to,  
160 knowingly allowing an ineligible student to participate in a  
161 contest representing a member school in an interscholastic  
162 contest, ~~or~~ committing a violation of the FHSAA's recruiting or  
163 sportsmanship policies, or colluding with a person to prevent a  
164 member or nonmember school from scheduling competitions among  
165 themselves.

166       2. Sanctions placed upon an individual person ~~coach~~ may  
167 include, but are not limited to, prohibiting or suspending the  
168 person ~~coach~~ from coaching, participating in, or attending any  
169 athletic activity sponsored, recognized, or sanctioned by the  
170 FHSAA and the member school for which the person ~~coach~~ committed  
171 the violation. If the person ~~a coach~~ is sanctioned by the FHSAA  
172 and the person ~~coach~~ transfers to another member school, those  
173 sanctions remain in full force and effect during the term of the  
174 sanction.

175       3. If a member school is assessed a financial penalty as a  
176 result of a person ~~coach~~ committing a major violation, the  
177 person ~~coach~~ shall reimburse the member school before being  
178 allowed to coach, participate in, or attend any athletic  
179 activity sponsored, recognized, or sanctioned by the FHSAA and a  
180 member school.

181       4. The FHSAA shall establish a due process procedure for  
182 persons who are ~~coaches~~ sanctioned under this paragraph,  
183 consistent with the appeals procedures set forth in subsection  
184 (7).



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

And the title is amended as follows:

Delete lines 5 - 6

and insert:

s. 1003.4281, F.S.; revising the school activities in which a student who graduates early may participate; amending s. 1003.4285, F.S.; revising the requirements to earn a Merit designation on a standard high school diploma; amending s. 1006.20, F.S.; defining a term; prohibiting the Florida High School Athletic Association (FHSAA) from denying or discouraging interscholastic competition between member schools and non-FHSAA member Florida schools or certain out-of-state schools; revising and providing criteria for bylaws adopted by the FHSAA, including criteria for student eligibility requirements, restrictions regarding recruiting activities, and persons who commit major violations of the FHSAA's bylaws and policies;