

1                   A bill to be entitled  
2           An act relating to interscholastic and intrascholastic  
3           activities; amending s. 1006.20, F.S.; providing for  
4           the approval of athletic associations that meet  
5           certain requirements; providing a definition;  
6           requiring certain athletic associations to operate  
7           under a contract with the State Board of Education;  
8           requiring the State Board of Education to annually  
9           review specified information relating to such athletic  
10          associations; providing that private schools and  
11          traditional public schools are considered high schools  
12          for specified purposes; prohibiting public schools  
13          from maintaining memberships in or paying dues or fees  
14          to certain athletic associations; providing that  
15          approved athletic associations are subject to certain  
16          requirements; requiring approved athletic associations  
17          to afford the same benefits to all member schools;  
18          requiring approved athletic associations to adopt  
19          certain bylaws; requiring approved athletic  
20          associations to establish a certain appeals process;  
21          authorizing certain sports medicine advisory  
22          committees to establish specified definitions related  
23          to concussions; authorizing certain approved athletic  
24          associations to establish sports medicine advisory  
25          committees that meet certain membership requirements;

26 providing that the FHSAA's board of directors has the  
27 legislative authority of the association and must  
28 approve, reject, or amend any legislative  
29 recommendations; revising the membership requirements  
30 of the FHSAA's board of directors; requiring the  
31 FHSAA's executive director and budget to be approved  
32 by the State Board of Education; revising the duties  
33 of the FHSAA's representative assembly; authorizing  
34 members of the FHSAA's representative assembly to  
35 serve on a specified committee; revising requirements  
36 for amending the FHSAA's bylaws; authorizing the  
37 Commissioner of Education to direct the FHSAA's board  
38 of directors to amend its bylaws; requiring the State  
39 Board of Education to approve any amendment to such  
40 bylaws; amending s. 1006.15, F.S.; authorizing home  
41 education students, Florida Virtual School students,  
42 charter school students, and private school students  
43 to participate in interscholastic and intrascholastic  
44 activities at certain schools; revising the  
45 requirements for such students to participate in such  
46 activities; providing for the continued participation  
47 in such activities by certain students who transfer  
48 from a public school; conforming cross-references and  
49 provisions to changes made by the act; creating s.  
50 1006.185, F.S.; requiring certain athletic

51 associations to adopt bylaws, policies, or procedures  
 52 allowing opening remarks at specified events;  
 53 providing requirements for such remarks; requiring  
 54 certain announcements before such remarks; providing  
 55 that opening remarks at specified events are at the  
 56 discretion of each school; amending ss. 768.135,  
 57 1002.20, 1002.33, 1002.42, 1006.165, 1006.18,  
 58 1006.195, 1012.468, 1012.795, and 1012.796, F.S.;  
 59 conforming cross-references and provisions to changes  
 60 made by the act; providing an effective date.

61

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

63

64 Section 1. Section 1006.20, Florida Statutes, is amended  
 65 to read:

66 1006.20 Athletics in public K-12 schools.—

67 (1) GOVERNING NONPROFIT ATHLETIC ASSOCIATION

68 ~~ORGANIZATION~~.—The Florida High School Athletic Association  
 69 (FHSAA) is designated as the governing nonprofit athletic  
 70 association ~~organization of athletics~~ in Florida public schools.

71 ~~If the FHSAA fails to meet the provisions of this section, The~~  
 72 State Board of Education may approve other ~~commissioner shall~~

73 ~~designate a nonprofit~~ athletic associations. As used in this

74 section, the term "approved athletic association" means the

75 FHSAA and other nonprofit athletic associations approved by

76 ~~organization to govern athletics with the approval of the State~~  
 77 ~~Board of Education. Each nonprofit athletic association subject~~  
 78 ~~to the requirements of this section shall operate under a~~  
 79 ~~contract with the State Board of Education. Before entering into~~  
 80 ~~a contract with an association, the State Board of Education~~  
 81 ~~shall annually review, at a minimum, the bylaws, policies, and~~  
 82 ~~dues and fees of the association for compliance with subpart D.~~  
 83 ~~of this part. Any approved athletic association ~~The FHSAA~~ is not~~  
 84 ~~a state agency as defined in s. 120.52 but is. ~~The FHSAA shall~~~~  
 85 ~~be subject to ss. 1006.15-1006.19 ~~the provisions of s. 1006.19.~~~~  
 86 (2) MEMBERSHIP. ~~A private school that wishes to engage in~~  
 87 ~~high school athletic competition with a public high school may~~  
 88 ~~become a member of the FHSAA. Any high school in the state,~~  
 89 ~~including private schools, traditional public schools, charter~~  
 90 ~~schools, virtual schools, and home education cooperatives, may~~  
 91 ~~become a member of any approved athletic association. However, a~~  
 92 ~~public school may not maintain membership in or pay dues or fees~~  
 93 ~~to any athletic association that is not operated under a~~  
 94 ~~contract with the State Board of Education ~~the FHSAA and~~~~  
 95 ~~participate in the activities of the FHSAA. However, Membership~~  
 96 ~~in an association ~~the FHSAA~~ is not mandatory for any school.~~  
 97 ~~Approved athletic associations ~~The FHSAA~~ must allow any a~~  
 98 ~~private school or cooperative the option of maintaining full~~  
 99 ~~membership in the association or joining by sport and may not~~  
 100 ~~discourage any a private school or cooperative from~~

101 simultaneously maintaining membership in another approved  
 102 athletic association. Any approved athletic association must  
 103 afford the same benefits to schools joining by sport as schools  
 104 that maintain full membership in the association. Approved  
 105 athletic associations ~~The FHSAA may allow a public school the~~  
 106 ~~option to apply for consideration to join another athletic~~  
 107 ~~association. the FHSAA~~ may not deny or discourage  
 108 interscholastic competition between its member schools and  
 109 nonmember ~~non-FHSAA member~~ Florida schools, including members of  
 110 another approved athletic association ~~governing organization,~~  
 111 and may not take any retributory or discriminatory action  
 112 against any of its member schools that participate in  
 113 interscholastic competition with nonmember ~~non-FHSAA member~~  
 114 Florida schools. The FHSAA may not ~~unreasonably~~ withhold its  
 115 approval of an application to become an affiliate member of the  
 116 National Federation of State High School Associations submitted  
 117 by any other approved athletic association ~~organization~~ that  
 118 governs interscholastic athletic competition in this state. The  
 119 bylaws of each approved athletic association ~~the FHSAA~~ are the  
 120 rules by which high school athletic programs in its member  
 121 schools, and the students who participate in them, are governed,  
 122 unless otherwise specifically provided by statute. For the  
 123 purposes of this section, the term "high school" includes grades  
 124 6 through 12.

125 (3)-(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.-

126           (a) Each approved athletic association ~~the FHSAA~~ shall  
127 adopt bylaws that, unless specifically provided by statute,  
128 establish eligibility requirements for all students who  
129 participate in high school athletic competition in its member  
130 schools. The bylaws governing residence and transfer shall allow  
131 the student to be immediately eligible in the school in which he  
132 or she first enrolls each school year or the school in which the  
133 student makes himself or herself a candidate for an athletic  
134 team by engaging in a practice before ~~prior to~~ enrolling in the  
135 school. The bylaws shall also allow the student to be  
136 immediately eligible in the school to which the student has  
137 transferred. The student shall be eligible in that school so  
138 long as he or she remains enrolled in that school. Subsequent  
139 eligibility shall be determined and enforced through the  
140 association's ~~FHSAA's~~ bylaws. Requirements governing eligibility  
141 and transfer between member schools shall be applied similarly  
142 to public school students and private school students.

143           (b) Each approved athletic association ~~the FHSAA~~ shall  
144 adopt bylaws that specifically prohibit the recruiting of  
145 students for athletic purposes. The bylaws shall prescribe  
146 penalties and an appeals process for athletic recruiting  
147 violations.

148           1. If it is determined that a school has recruited a  
149 student in violation of association ~~FHSAA~~ bylaws, the  
150 association ~~FHSAA~~ may require the school to participate in a

151 higher classification for the sport in which the recruited  
152 student competes for a minimum of one classification cycle, in  
153 addition to the penalties in subparagraphs 2. and 3. and any  
154 other appropriate fine or sanction imposed on the school, its  
155 coaches, or adult representatives who violate recruiting rules.

156 2. Any recruitment by a school district employee or  
157 contractor in violation of association ~~FHSAA~~ bylaws results in  
158 escalating punishments as follows:

159 a. For a first offense, a \$5,000 forfeiture of pay for the  
160 school district employee or contractor who committed the  
161 violation.

162 b. For a second offense, suspension without pay for 12  
163 months from coaching, directing, or advertising an  
164 extracurricular activity and a \$5,000 forfeiture of pay for the  
165 school district employee or contractor who committed the  
166 violation.

167 c. For a third offense, a \$5,000 forfeiture of pay for the  
168 school district employee or contractor who committed the  
169 violation. If the individual who committed the violation holds  
170 an educator certificate, the association ~~FHSAA~~ shall also refer  
171 the violation to the department for review pursuant to s.  
172 1012.796 to determine whether probable cause exists, and, if  
173 there is a finding of probable cause, the commissioner shall  
174 file a formal complaint against the individual. If the complaint  
175 is upheld, the individual's educator certificate shall be

176 | revoked for 3 years, in addition to any penalties available  
177 | under s. 1012.796. Additionally, the department shall revoke any  
178 | adjunct teaching certificates issued pursuant to s. 1012.57 and  
179 | all permissions under ss. 1012.39 and 1012.43, and the educator  
180 | is ineligible for such certificates or permissions for a period  
181 | of time equal to the period of revocation of his or her state-  
182 | issued certificate.

183 |         3. Notwithstanding any other provision of law, a school,  
184 | team, or activity shall forfeit all competitions, including  
185 | honors resulting from such competitions, in which a student who  
186 | participated in any fashion was recruited in a manner prohibited  
187 | pursuant to state law or the association ~~FHSAA~~ bylaws.

188 |         4. A student may not be declared ineligible based on  
189 | violation of recruiting rules unless the student or parent has  
190 | falsified any enrollment or eligibility document or accepted any  
191 | benefit if such benefit is not generally available to the  
192 | school's students or family members or is based in any way on  
193 | athletic interest, potential, or performance.

194 |         5. A student's eligibility to participate in any  
195 | interscholastic or intrascholastic extracurricular activity, as  
196 | determined by a district school board pursuant to s.  
197 | 1006.195(1)(a)3., may not be affected by any alleged recruiting  
198 | violation until final disposition of the allegation.

199 |         (c) Each approved athletic association ~~the FHSAA~~ shall  
200 | adopt bylaws that require all students participating in



201 interscholastic athletic competition or who are candidates for  
202 an interscholastic athletic team to satisfactorily pass a  
203 medical evaluation each year before participating in  
204 interscholastic athletic competition or engaging in any  
205 practice, tryout, workout, conditioning, or other physical  
206 activity associated with the student's candidacy for an  
207 interscholastic athletic team, including activities that occur  
208 outside of the school year. Such medical evaluation may be  
209 administered only by a practitioner licensed under chapter 458,  
210 chapter 459, chapter 460, or s. 464.012 or registered under s.  
211 464.0123 and in good standing with the practitioner's regulatory  
212 board. The bylaws shall establish requirements for eliciting a  
213 student's medical history and performing the medical evaluation  
214 required under this paragraph, which shall include a physical  
215 assessment of the student's physical capabilities to participate  
216 in interscholastic athletic competition as contained in a  
217 uniform preparticipation physical evaluation and history form.  
218 The evaluation form shall incorporate the recommendations of the  
219 American Heart Association for participation cardiovascular  
220 screening and shall provide a place for the signature of the  
221 practitioner performing the evaluation with an attestation that  
222 each examination procedure listed on the form was performed by  
223 the practitioner or by someone under the direct supervision of  
224 the practitioner. The form shall also contain a place for the  
225 practitioner to indicate if a referral to another practitioner

226 was made in lieu of completion of a certain examination  
227 procedure. The form shall provide a place for the practitioner  
228 to whom the student was referred to complete the remaining  
229 sections and attest to that portion of the examination. The  
230 preparticipation physical evaluation form shall advise students  
231 to complete a cardiovascular assessment and shall include  
232 information concerning alternative cardiovascular evaluation and  
233 diagnostic tests. Results of such medical evaluation must be  
234 provided to the school. A student is not eligible to  
235 participate, as provided in s. 1006.15(3), in any  
236 interscholastic athletic competition or engage in any practice,  
237 tryout, workout, or other physical activity associated with the  
238 student's candidacy for an interscholastic athletic team until  
239 the results of the medical evaluation have been received and  
240 approved by the school.

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

251 participation in interscholastic athletics where an undisclosed  
252 medical condition that would have been revealed in the medical  
253 evaluation is a proximate cause of the injury or death.

254 (e) Each approved athletic association ~~the FHSAA~~ shall  
255 adopt bylaws that regulate persons who conduct investigations on  
256 behalf of the association ~~FHSAA~~. The bylaws shall include  
257 provisions that require an investigator to:

258 1. Undergo level 2 background screening under s. 435.04,  
259 establishing that the investigator has not committed any  
260 disqualifying offense listed in s. 435.04, unless the  
261 investigator can provide proof of compliance with level 2  
262 screening standards submitted within the previous 5 years to  
263 meet any professional licensure requirements, provided:

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

267 b. The investigator submits, under penalty of perjury, an  
268 affidavit verifying that the investigator has not committed any  
269 disqualifying offense listed in s. 435.04 and is in full  
270 compliance with this paragraph.

271 2. Be appointed as an investigator by the executive  
272 director.

273 3. Carry a photo identification card that shows the  
274 association's ~~FHSAA~~ name and logo and the investigator's  
275 official title.

- 276 4. Adhere to the following guidelines:
- 277 a. Investigate only those alleged violations assigned by
- 278 the executive director or the board of directors.
- 279 b. Conduct interviews on Monday through Friday between the
- 280 hours of 9 a.m. and 7 p.m. only, unless previously agreed to by
- 281 the interviewee.
- 282 c. Allow the parent of any student being interviewed to be
- 283 present during the interview.
- 284 d. Search residences or other private areas only with the
- 285 permission of the executive director and the written consent of
- 286 the student's parent and only with a parent or a representative
- 287 of the parent present.
- 288 (f) Each approved athletic association ~~the FHSAA~~ shall
- 289 adopt bylaws that establish sanctions for coaches who have
- 290 committed major violations of the association's ~~FHSAA's~~ bylaws
- 291 and policies.
- 292 1. Major violations include, but are not limited to,
- 293 knowingly allowing an ineligible student to participate in a
- 294 contest representing a member school in an interscholastic
- 295 contest or committing a violation of the association's ~~FHSAA's~~
- 296 recruiting or sportsmanship policies.
- 297 2. Sanctions placed upon an individual coach may include,
- 298 but are not limited to, prohibiting or suspending the coach from
- 299 coaching, participating in, or attending any athletic activity
- 300 sponsored, recognized, or sanctioned by the association ~~FHSAA~~

301 and the member school for which the coach committed the  
302 violation. If a coach is sanctioned by the association ~~FHSAA~~ and  
303 the coach transfers to another member school, those sanctions  
304 remain in full force and effect during the term of the sanction.

305 3. If a member school is assessed a financial penalty as a  
306 result of a coach committing a major violation, the coach shall  
307 reimburse the member school before being allowed to coach,  
308 participate in, or attend any athletic activity sponsored,  
309 recognized, or sanctioned by the association ~~FHSAA~~ and a member  
310 school.

311 4. The association ~~FHSAA~~ shall establish a due process  
312 procedure for coaches sanctioned under this paragraph,  
313 consistent with the appeals procedures set forth in subsection  
314 (8) ~~(7)~~.

315 (g) Each approved athletic association ~~the FHSAA~~ shall  
316 adopt bylaws establishing the process and standards by which the  
317 association's ~~FHSAA~~ determinations of eligibility are made. Such  
318 bylaws shall provide that:

319 1. Ineligibility must be established by a preponderance of  
320 the evidence;

321 2. Student athletes, parents, and schools must have notice  
322 of the initiation of any investigation or other inquiry into  
323 eligibility and may present, to the investigator and to the  
324 individual making the eligibility determination, any information  
325 or evidence that is credible, persuasive, and of a kind

326 reasonably prudent persons rely upon in the conduct of serious  
 327 affairs;

328 3. An investigator may not determine matters of  
 329 eligibility but must submit information and evidence to the  
 330 executive director or a person designated by the executive  
 331 director or by the board of directors for an unbiased and  
 332 objective determination of eligibility; and

333 4. A determination of ineligibility must be made in  
 334 writing, setting forth the findings of fact and specific  
 335 violation upon which the decision is based.

336 (h) In lieu of bylaws adopted under paragraph (g), an  
 337 approved athletic association ~~the FHSAA~~ may adopt bylaws  
 338 providing as a minimum the procedural safeguards of ss. 120.569  
 339 and 120.57, making appropriate provision for appointment of  
 340 unbiased and qualified hearing officers.

341 (i) An approved athletic association's ~~the FHSAA~~ bylaws  
 342 may not limit the competition of student athletes prospectively  
 343 for rule violations of their school or its coaches or their  
 344 adult representatives. The association ~~FHSAA~~ bylaws may not  
 345 unfairly punish student athletes for eligibility or recruiting  
 346 violations perpetrated by a teammate, coach, or administrator.  
 347 Contests may not be forfeited for inadvertent eligibility  
 348 violations unless the coach or a school administrator should  
 349 have known of the violation. Contests may not be forfeited for  
 350 other eligibility violations or recruiting violations in excess

351 of the number of contests that the coaches and adult  
352 representatives responsible for the violations are prospectively  
353 suspended.

354 (j) Each approved athletic association ~~the FHSAA~~ shall  
355 adopt guidelines to educate athletic coaches, officials,  
356 administrators, and student athletes and their parents of the  
357 nature and risk of concussion and head injury.

358 (k) Each approved athletic association ~~the FHSAA~~ shall  
359 adopt bylaws or policies that require the parent of a student  
360 who is participating in interscholastic athletic competition or  
361 who is a candidate for an interscholastic athletic team to sign  
362 and return an informed consent that explains the nature and risk  
363 of concussion and head injury, including the risk of continuing  
364 to play after concussion or head injury, each year before  
365 participating in interscholastic athletic competition or  
366 engaging in any practice, tryout, workout, or other physical  
367 activity associated with the student's candidacy for an  
368 interscholastic athletic team.

369 (l) Each approved athletic association ~~the FHSAA~~ shall  
370 adopt bylaws or policies that require each student athlete who  
371 is suspected of sustaining a concussion or head injury in a  
372 practice or competition to be immediately removed from the  
373 activity. A student athlete who has been removed from an  
374 activity may not return to practice or competition until the  
375 student submits to the school a written medical clearance to

376 return stating that the student athlete no longer exhibits  
377 signs, symptoms, or behaviors consistent with a concussion or  
378 other head injury. Medical clearance must be authorized by the  
379 appropriate health care practitioner trained in the diagnosis,  
380 evaluation, and management of concussions as defined by a the  
381 sports medicine advisory committee established pursuant to  
382 paragraph (m) of the Florida High School Athletic Association.

383 (m)1. The FHSAA shall adopt bylaws for the establishment  
384 and duties of a sports medicine advisory committee composed of  
385 the following members:

386 a.1. Eight physicians licensed under chapter 458 or  
387 chapter 459 with at least one member licensed under chapter 459.

388 b.2. One chiropractor licensed under chapter 460.

389 c.3. One podiatrist licensed under chapter 461.

390 d.4. One dentist licensed under chapter 466.

391 e.5. Three athletic trainers licensed under part XIII of  
392 chapter 468.

393 f.6. One member who is a current or retired head coach of  
394 a high school in the state.

395 2. An approved athletic association that does not rely on  
396 the recommendations of the sports medicine advisory committee of  
397 the FHSAA shall establish a sports medicine advisory committee  
398 whose membership satisfies the requirements of subparagraph 1.

399 (4)(3) GOVERNING STRUCTURE OF THE FHSAA.—

400 (a) The FHSAA shall operate as a representative democracy



401 in which the sovereign authority is within its member schools.  
 402 Except as provided in this section, the FHSAA shall govern its  
 403 affairs through its bylaws.

404 (b) Each member school, on its annual application for  
 405 membership, shall name its official representative to the FHSAA.  
 406 This representative must be either the school principal or his  
 407 or her designee. That designee must either be an assistant  
 408 principal or athletic director housed within that same school.

409 (c) The FHSAA's membership shall be divided along existing  
 410 county lines into four contiguous and compact administrative  
 411 regions, each containing an equal or nearly equal number of  
 412 member schools to ensure equitable representation on the FHSAA's  
 413 board of directors, representative assembly, and appeals  
 414 committees.

415 (5)-(4) FHSAA BOARD OF DIRECTORS.—

416 (a) The executive and legislative authority of the FHSAA  
 417 shall be vested in its board of directors. ~~Any entity that~~  
 418 ~~appoints members to the board of directors shall examine the~~  
 419 ~~ethnic and demographic composition of the board when selecting~~  
 420 ~~candidates for appointment and shall, to the greatest extent~~  
 421 ~~possible, make appointments that reflect state demographic and~~  
 422 ~~population trends.~~ The board of directors shall be composed of  
 423 nine members, eight of whom are appointed by the Governor and  
 424 confirmed by the Senate ~~16 persons~~, as follows:

- 425 1. Two ~~Four~~ public member school representatives appointed

426 ~~from different administrative regions, one elected from among~~  
 427 ~~its public school representative members within each of the four~~  
 428 ~~administrative regions.~~

429 2. Two ~~Four~~ nonpublic member school representatives  
 430 appointed from different administrative regions that are also  
 431 different than those represented by the public member school  
 432 representatives appointed under subparagraph 1, ~~one elected from~~  
 433 ~~among its nonpublic school representative members within each of~~  
 434 ~~the four administrative regions.~~

435 3. Two ~~Three~~ representatives ~~appointed by the~~  
 436 ~~commissioner,~~ one appointed from the two northernmost  
 437 administrative regions and one appointed from the two  
 438 southernmost administrative regions. ~~The third representative~~  
 439 ~~shall be appointed to balance the board for diversity or state~~  
 440 ~~population trends, or both.~~

441 4. One ~~Two~~ district school superintendent appointed  
 442 ~~superintendents,~~ one elected from the ~~two~~ northernmost  
 443 administrative region ~~regions~~ by the members in those regions  
 444 ~~and one elected from the two southernmost administrative regions~~  
 445 ~~by the members in those regions.~~

446 5. One ~~Two~~ district school board member appointed ~~members,~~  
 447 ~~one elected from the two northernmost administrative regions by~~  
 448 ~~the members in those regions and one elected from the two~~  
 449 ~~southernmost administrative~~ region ~~regions~~ by the members in  
 450 ~~those regions.~~

451           6. The commissioner or his or her designee from the  
452 department executive staff.

453           (b) A quorum of the board of directors shall consist of  
454 five ~~nine~~ members.

455           (c) The board of directors shall elect a president and a  
456 vice president from among its members. These officers shall also  
457 serve as officers of the FHSAA.

458           (d) Members of the board of directors shall serve terms of  
459 3 years and are eligible to succeed themselves only once. A  
460 member of the board of directors, other than the commissioner or  
461 his or her designee, may serve a maximum of 6 consecutive years.  
462 The FHSAA's bylaws shall establish a rotation of terms to ensure  
463 that a majority of the members' terms do not expire  
464 concurrently.

465           (e) The authority and duties of the board of directors,  
466 acting as a body and in accordance with the FHSAA's bylaws, are  
467 as follows:

468           1. To act as the incorporated FHSAA's board of directors  
469 and to fulfill its obligations as required by the FHSAA's  
470 charter and articles of incorporation.

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

473           3. To employ an FHSAA executive director, who shall have  
474 the authority to waive the bylaws of the FHSAA in order to  
475 comply with statutory changes. The executive director must be

476 approved by the State Board of Education.

477 4. To levy annual dues and other fees and to set the  
478 percentage of contest receipts to be collected by the FHSAA.

479 5. To approve the budget of the FHSAA. The FHSAA's budget  
480 must also be approved by the State Board of Education.

481 6. To organize and conduct statewide interscholastic  
482 competitions, which may or may not lead to state championships,  
483 and to establish the terms and conditions for these  
484 competitions.

485 7. To act as an administrative board in the interpretation  
486 of, and final decision on, all questions and appeals arising  
487 from the directing of interscholastic athletics of member  
488 schools.

489 8. To approve, reject, or amend any legislative  
490 recommendations from the representative assembly. Approval of a  
491 recommendation from the representative assembly requires a  
492 majority vote of the board of directors.

493 (6)-(5) FHSAA REPRESENTATIVE ASSEMBLY.-

494 (a) ~~The legislative authority of the FHSAA is vested in~~  
495 ~~its~~ representative assembly may provide legislative  
496 recommendations to the board of directors.

497 (b) The representative assembly shall be composed of the  
498 following:

499 1. An equal number of member school representatives from  
500 each of the four administrative regions.

501           2. Four district school superintendents, one elected from  
 502 each of the four administrative regions by the district school  
 503 superintendents in their respective administrative regions.

504           3. Four district school board members, one elected from  
 505 each of the four administrative regions by the district school  
 506 board members in their respective administrative regions.

507           4. The commissioner or his or her designee from the  
 508 department executive staff.

509           (c) The FHSAA's bylaws shall establish the number of  
 510 member school representatives to serve in the representative  
 511 assembly from each of the four administrative regions and shall  
 512 establish the method for their selection.

513           (d) No member of the board of directors other than the  
 514 commissioner or his or her designee can serve in the  
 515 representative assembly.

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

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

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

525           (h) The authority of the representative assembly is

526 | limited to its sole duty, which is to consider, adopt, or reject  
 527 | any recommended ~~proposed~~ amendments to the FHSAA's bylaws and  
 528 | provide such amendments to the board of directors for approval.

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

532 | ~~(7)(6)~~ FHSAA PUBLIC LIAISON ADVISORY COMMITTEE.—

533 | (a) The FHSAA shall establish, sustain, fund, and provide  
 534 | staff support to a public liaison advisory committee composed of  
 535 | the following:

- 536 | 1. The commissioner or his or her designee.
- 537 | 2. A member public school principal.
- 538 | 3. A member private school principal.
- 539 | 4. A member school principal who is a member of a racial  
 540 | minority.
- 541 | 5. An active athletic director.
- 542 | 6. An active coach, who is employed full time by a member  
 543 | school.
- 544 | 7. A student athlete.
- 545 | 8. A district school superintendent.
- 546 | 9. A district school board member.
- 547 | 10. A member of the Florida House of Representatives.
- 548 | 11. A member of the Florida Senate.
- 549 | 12. A parent of a high school student.
- 550 | 13. A member of a home education association.

551 14. A representative of the business community.

552 15. A representative of the news media.

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

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

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

560 1. To act as a conduit through which the general public  
 561 may have input into the decisionmaking process of the FHSAA and  
 562 to assist the FHSAA in the development of procedures regarding  
 563 the receipt of public input and disposition of complaints  
 564 related to high school athletic and competition programs.

565 2. To conduct public hearings annually in each of the four  
 566 administrative regions during which interested parties may  
 567 address issues regarding the effectiveness of the rules,  
 568 operation, and management of the FHSAA.

569 3. To conduct an annual evaluation of the FHSAA as a whole  
 570 and present a report of its findings, conclusion, and  
 571 recommendations to the board of directors, to the commissioner,  
 572 and to the respective education committees of the Florida Senate  
 573 and the Florida House of Representatives. The recommendations  
 574 must delineate policies and procedures that will improve the  
 575 implementation and oversight of high school athletic programs by

576 | the FHSAA.

577 |       (e) The public liaison advisory committee shall meet four  
578 | times annually. Additional meetings may be called by the  
579 | committee chairperson, the FHSAA president, or the FHSAA  
580 | executive director.

581 |       (8)~~(7)~~ APPEALS.—

582 |       (a) Each approved athletic association ~~the FHSAA~~ shall  
583 | establish a procedure of due process which ensures each student  
584 | the opportunity to appeal an unfavorable ruling with regard to  
585 | his or her eligibility to compete. The initial appeal shall be  
586 | made to a committee on appeals within the administrative region  
587 | in which the student lives. The approved athletic association's  
588 | ~~FHSAA's~~ bylaws shall establish the number, size, and composition  
589 | of each committee on appeals.

590 |       (b) No member of the board of directors is eligible to  
591 | serve on a committee on appeals.

592 |       (c) Members of a committee on appeals shall serve terms of  
593 | 3 years and are eligible to succeed themselves only once. A  
594 | member of a committee on appeals may serve a maximum of 6  
595 | consecutive years. The approved athletic association's ~~FHSAA's~~  
596 | bylaws shall establish a rotation of terms to ensure that a  
597 | majority of the members' terms do not expire concurrently.

598 |       (d) The authority and duties of a committee on appeals  
599 | shall be to consider requests by member schools seeking  
600 | exceptions to bylaws and regulations, to hear undue hardship



601 eligibility cases filed by member schools on behalf of student  
602 athletes, and to hear appeals filed by member schools or student  
603 athletes.

604 (e) A student athlete or member school that receives an  
605 unfavorable ruling from a committee on appeals shall be entitled  
606 to appeal that decision to the board of directors at its next  
607 regularly scheduled meeting or called meeting. The board of  
608 directors shall have the authority to uphold, reverse, or amend  
609 the decision of the committee on appeals. In all such cases, the  
610 decision of the board of directors shall be final.

611 (f) The approved athletic association ~~FHSAA~~ shall expedite  
612 the appeals process on determinations of ineligibility so that  
613 disposition of the appeal can be made before the end of the  
614 applicable sports season, if possible.

615 (g) In any appeal from a decision on eligibility made by  
616 the executive director or a designee, a school or student  
617 athlete filing the appeal must be permitted to present  
618 information and evidence that was not available at the time of  
619 the initial determination or if the determination was not made  
620 by an unbiased, objective individual using a process allowing  
621 full due process rights to be heard and to present evidence. If  
622 evidence is presented on appeal, a de novo decision must be made  
623 by the committee or board hearing the appeal, or the  
624 determination may be suspended and the matter remanded for a new  
625 determination based on all the evidence. If a de novo decision

626 is made on appeal, the decision must be made in writing, setting  
627 forth the findings of fact and specific violation upon which the  
628 decision is based. If a de novo decision is not required, the  
629 decision appealed must be set aside if the decision on  
630 ineligibility was not based on clear and convincing evidence.  
631 Any further appeal shall be considered on a record that includes  
632 all evidence presented.

633 ~~(9)~~ (8) APPROVAL AND AMENDMENT OF FHSAA BYLAWS.—

634 (a)1. The commissioner may, at any time, direct the board  
635 of directors to amend the FHSAA's bylaws.

636 2. The State Board of Education must approve any amendment  
637 to the FHSAA's bylaws. A bylaw adopted by the board of directors  
638 may not take effect until the state board approves such bylaw.

639 (b) Each member school representative, the board of  
640 directors acting as a whole or as members acting individually,  
641 any advisory committee acting as a whole to be established by  
642 the FHSAA, the commissioner, and the FHSAA's executive director  
643 are empowered to propose amendments to the bylaws. Any other  
644 individual may propose an amendment by securing the sponsorship  
645 of any of the aforementioned individuals or bodies. All proposed  
646 amendments must be submitted directly to the representative  
647 assembly for its consideration. The representative assembly must  
648 provide a recommendation to the board of directors who shall,  
649 while empowered to adopt, reject, or revise proposed amendments.  
650 Any amendment to the bylaws must be approved by the State Board

651 ~~of Education, may not, in and of itself, as a body be allowed to~~  
652 ~~propose any amendment for its own consideration.~~

653 Section 2. Paragraphs (c), (d), and (e) of subsection (3),  
654 subsection (8), and paragraph (a) of subsection (9) of section  
655 1006.15, Florida Statutes, are amended, and subsection (10) is  
656 added to that section, to read:

657 1006.15 Student standards for participation in  
658 interscholastic and intrascholastic extracurricular student  
659 activities; regulation.—

660 (3)(c) An individual home education student is eligible to  
661 participate at any the public school in the school district in  
662 which the student resides ~~to which the student would be assigned~~  
663 ~~according to district school board attendance area policies~~ or  
664 which the student could choose to attend pursuant to s. 1002.31,  
665 or may develop an agreement to participate at a private school,  
666 in the interscholastic extracurricular activities of that  
667 school, provided the following conditions are met:

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

670 2. During the period of participation at a school, the  
671 home education student must demonstrate educational progress as  
672 required in paragraph (b) in all subjects taken in the home  
673 education program by a method of evaluation agreed upon by the  
674 parent and the school principal which may include: review of the  
675 student's work by a certified teacher chosen by the parent;

676 grades earned through correspondence; grades earned in courses  
677 taken at a Florida College System institution, university, or  
678 trade school; standardized test scores above the 35th  
679 percentile; or any other method designated in s. 1002.41.

680 3. The home education student must meet the same residency  
681 requirements as other students in the school at which he or she  
682 participates.

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

686 5. The student must register with the school his or her  
687 intent to participate in interscholastic extracurricular  
688 activities as a representative of the school before  
689 participation. A home education student must be able to  
690 participate in curricular activities if that is a requirement  
691 for an extracurricular activity.

692 6. A student who transfers from a home education program  
693 to a public school before or during the first grading period of  
694 the school year is academically eligible to participate in  
695 interscholastic extracurricular activities during the first  
696 grading period provided the student has a successful evaluation  
697 from the previous school year, pursuant to subparagraph 2.

698 7. Any public school or private school student who has  
699 been unable to maintain academic eligibility for participation  
700 in interscholastic extracurricular activities is ineligible to

701 participate in such activities as a home education student until  
702 the student has successfully completed one grading period in  
703 home education pursuant to subparagraph 2. to become eligible to  
704 participate as a home education student.

705 8. The roster for the specific interscholastic activity in  
706 which the home education student would like to participate has  
707 not reached the activity's identified maximum size and the coach  
708 or sponsor for the activity determines that the home education  
709 student has the requisite skill and ability to participate.

710 (d) An individual charter school student pursuant to s.  
711 1002.33 is eligible to participate at the public school to which  
712 the student would be assigned according to district school board  
713 attendance area policies or which the student could attend, or  
714 may develop an agreement to participate at a private school, in  
715 any interscholastic extracurricular activity of that school,  
716 unless such activity is provided by the student's charter  
717 school, if the following conditions are met:

718 1. The charter school student must meet the requirements  
719 of the charter school education program as determined by the  
720 charter school governing board.

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

724 3. The charter school student must meet the same residency  
725 requirements as other students in the school at which he or she

726 participates.

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

730         5. The charter school student must register with the  
731 school his or her intent to participate in interscholastic  
732 extracurricular activities as a representative of the school  
733 before participation. A charter school student must be able to  
734 participate in curricular activities if that is a requirement  
735 for an extracurricular activity.

736         6. A student who transfers from a charter school program  
737 to a traditional public school before or during the first  
738 grading period of the school year is academically eligible to  
739 participate in interscholastic extracurricular activities during  
740 the first grading period if the student has a successful  
741 evaluation from the previous school year, pursuant to  
742 subparagraph 2.

743         7. Any public school or private school student who has  
744 been unable to maintain academic eligibility for participation  
745 in interscholastic extracurricular activities is ineligible to  
746 participate in such activities as a charter school student until  
747 the student has successfully completed one grading period in a  
748 charter school pursuant to subparagraph 2. to become eligible to  
749 participate as a charter school student.

750         (e) A student of the Florida Virtual School full-time

751 program may participate in any interscholastic extracurricular  
752 activity at any the public school in the school district in  
753 which the student resides ~~to which the student would be assigned~~  
754 ~~according to district school board attendance area policies~~ or  
755 which the student could choose to attend pursuant to s. 1002.31,  
756 or may develop an agreement to participate at a private school,  
757 if ~~the student~~:

758 1. During the period of participation in the  
759 interscholastic extracurricular activity, the student meets the  
760 requirements in paragraph (a).

761 2. The student meets any additional requirements as  
762 determined by the board of trustees of the Florida Virtual  
763 School.

764 3. The student meets the same residency requirements as  
765 other students in the school at which he or she participates.

766 4. The student meets the same standards of acceptance,  
767 behavior, and performance that are required of other students in  
768 extracurricular activities.

769 5. The student registers his or her intent to participate  
770 in interscholastic extracurricular activities with the school  
771 before participation. A Florida Virtual school student must be  
772 able to participate in curricular activities if that is a  
773 requirement for an extracurricular activity.

774 6. The roster for the specific interscholastic activity in  
775 which the student would like to participate has not reached the

776 activity's identified maximum size and the coach or sponsor for  
777 the activity determines that the student has the requisite skill  
778 and ability to participate.

779 (8)(a) Each approved athletic association under s. 1006.20  
780 ~~the Florida High School Athletic Association (FHSAA),~~ in  
781 cooperation with each district school board and member private  
782 school, shall facilitate a program in which a middle school or  
783 high school student who attends a private school shall be  
784 eligible to participate in an interscholastic or intrascholastic  
785 sport at a member public high school, a member public middle  
786 school, ~~or a member~~ 6-12 public school, or a member private  
787 school, as appropriate for the private school student's grade  
788 level ~~to which the student would be assigned according to~~  
789 ~~district school board attendance area policies and procedures or~~  
790 ~~which the student could choose to attend pursuant to s. 1002.31,~~  
791 ~~provided the public school has not reached capacity as~~  
792 ~~determined by the district school board, if:~~

793 1. The private school in which the student is enrolled is  
794 not a member of the association ~~FHSAA~~.

795 2. The private school student meets the guidelines for the  
796 conduct of the program established by the association's ~~FHSAA's~~  
797 board of directors and the district school board or member  
798 private school. At a minimum, such guidelines shall provide:

799 ~~a.~~ a deadline for each sport by which the private school  
800 student's parents must register with the member ~~public~~ school in



801 writing their intent for their child to participate at that  
802 school in the sport.

803 3. The roster for the specific interscholastic or  
804 intrascholastic sport in which the private school student would  
805 like to participate has not reached the sport's identified  
806 maximum size and the coach for the sport determines that the  
807 private school student has the requisite skill and ability to  
808 participate.

809 ~~b. Requirements for a private school student to~~  
810 ~~participate, including, but not limited to, meeting the same~~  
811 ~~standards of eligibility, acceptance, behavior, educational~~  
812 ~~progress, and performance which apply to other students~~  
813 ~~participating in interscholastic or intrascholastic sports at a~~  
814 ~~public school or FHSAA member private school.~~

815 (b) The parents of a private school student participating  
816 in a member ~~public~~ school sport under this subsection are  
817 responsible for transporting their child to and from the member  
818 ~~public~~ school at which the student participates. The private  
819 school the student attends, the member ~~public~~ school at which  
820 the student participates in a sport, the district school board,  
821 and the association ~~FHSAA~~ are exempt from civil liability  
822 arising from any injury that occurs to the student during such  
823 transportation.

824 (c) For each academic year, a private school student may  
825 only participate at the member ~~public~~ school in which the

826 student is first registered under subparagraph (a)2. ~~sub-~~  
827 ~~subparagraph (a)2.a.~~ or makes himself or herself a candidate for  
828 an athletic team by engaging in a practice.

829 (d) The athletic director of each participating  
830 association ~~FHSAA~~ member ~~public~~ school shall maintain the  
831 student records necessary for eligibility, compliance, and  
832 participation in the program.

833 (e) Any nonmember ~~non-FHSAA member~~ private school that has  
834 a student who wishes to participate in this program must make  
835 all student records, including, but not limited to, academic,  
836 financial, disciplinary, and attendance records, available upon  
837 request of the association ~~FHSAA~~.

838 (f) A student must apply to participate in this program  
839 through the association's ~~FHSAA~~ program application process.

840 (g) Only students who are enrolled in ~~non-FHSAA member~~  
841 private schools consisting of 125 students or fewer are eligible  
842 to participate in the program in any given academic year.

843 (9)(a) A student who transfers to a school during the  
844 school year may seek to immediately join an existing team if the  
845 roster for the specific interscholastic or intrascholastic  
846 extracurricular activity has not reached the activity's  
847 identified maximum size and if the coach for the activity  
848 determines that the student has the requisite skill and ability  
849 to participate. The approved athletic association under s.  
850 1006.20 ~~FHSAA~~ and school district or charter school may not

851 declare such a student ineligible because the student did not  
852 have the opportunity to comply with qualifying requirements.

853 (10) A student who is participating in an interscholastic  
854 or intrascholastic activity at a public school and who transfers  
855 from the school during the school year must be permitted to  
856 continue to participate in the activity at the school from which  
857 he or she transferred for the remainder of the school year if:

858 (a) During the period of participation in the activity,  
859 the student continues to meet the requirements in paragraph  
860 (3) (a).

861 (b) The student continues to meet the same standards of  
862 acceptance, behavior, and performance that are required of other  
863 students participating in the activity, except for enrollment  
864 requirements at the school at which the student participates.

865 (c) The parents of the student participating in the  
866 activity provide for the transportation of the student to and  
867 from the school at which the student participates. The school  
868 the student attends, the school at which the student  
869 participates in the activity, and the district school board are  
870 exempt from civil liability arising from any injury that occurs  
871 to the student during such transportation.

872 Section 3. Section 1006.185, Florida Statutes, is created  
873 to read:

874 1006.185 Opening remarks at high school athletic  
875 contests.—Each approved athletic association under s. 1006.20

876 whose membership includes public schools shall adopt bylaws,  
877 policies, or procedures that provide each school participating  
878 in a high school championship contest, or series of contests,  
879 under the direction and supervision of the association, the  
880 opportunity to make brief opening remarks, if requested by the  
881 school, using the public address system at the event. Such  
882 remarks may not be longer than 2 minutes per school. The  
883 athletic association may not control, monitor, or review the  
884 content of the opening remarks and may not control the school's  
885 choice of speaker. Before the opening remarks, an announcement  
886 must be made that the content of any opening remarks by a  
887 participating school are not endorsed by and do not reflect the  
888 views and opinions of the athletic association. The decision to  
889 allow opening remarks before regular season contests is at the  
890 discretion of each school.

891 Section 4. Subsection (3) of section 768.135, Florida  
892 Statutes, is amended to read:

893 768.135 Volunteer team physicians; immunity.—

894 (3) A practitioner licensed under chapter 458, chapter  
895 459, chapter 460, or s. 464.012 or registered under s. 464.0123  
896 who gratuitously and in good faith conducts an evaluation  
897 pursuant to s. 1006.20(3)(c) ~~s. 1006.20(2)(e)~~ is not liable for  
898 any civil damages arising from that evaluation unless the  
899 evaluation was conducted in a wrongful manner.

900 Section 5. Subsection (17) and paragraphs (c) and (d) of

901 subsection (18) of section 1002.20, Florida Statutes, are  
 902 amended to read:

903       1002.20 K-12 student and parent rights.—Parents of public  
 904 school students must receive accurate and timely information  
 905 regarding their child's academic progress and must be informed  
 906 of ways they can help their child to succeed in school. K-12  
 907 students and their parents are afforded numerous statutory  
 908 rights including, but not limited to, the following:

909       (17) ATHLETICS; PUBLIC HIGH SCHOOL.—

910       (a) Eligibility.—Eligibility requirements for all students  
 911 participating in high school athletic competition must allow a  
 912 student to be immediately eligible in the school in which he or  
 913 she first enrolls each school year, the school in which the  
 914 student makes himself or herself a candidate for an athletic  
 915 team by engaging in practice before enrolling, or the school to  
 916 which the student has transferred, in accordance with s.  
 917 1006.20(3)(a) ~~s. 1006.20(2)(a)~~.

918       (b) Medical evaluation.—Students must satisfactorily pass  
 919 a medical evaluation each year before participating in  
 920 athletics, unless the parent objects in writing based on  
 921 religious tenets or practices, in accordance with s.  
 922 1006.20(3)(d) ~~the provisions of s. 1006.20(2)(d)~~.

923       (18) EXTRACURRICULAR ACTIVITIES.—In accordance with the  
 924 provisions of s. 1006.15:

925       (c) Charter school students.—Charter school students who

926 meet specified academic and conduct requirements are eligible to  
927 participate in extracurricular activities at the public school  
928 to which the student would be assigned or could choose to attend  
929 according to district school board policies, or may develop an  
930 agreement to participate at a private school, unless such  
931 activity is provided by the student's charter school.

932 (d) Florida Virtual School full-time students.—Florida  
933 Virtual School full-time students who meet specified academic  
934 and conduct requirements are eligible to participate in  
935 extracurricular activities at the public school to which the  
936 student would be assigned or could choose to attend according to  
937 district school board policies, or may develop an agreement to  
938 participate at a private school.

939 Section 6. Subsection (11) of section 1002.33, Florida  
940 Statutes, is amended to read:

941 1002.33 Charter schools.—

942 (11) PARTICIPATION IN INTERSCHOLASTIC EXTRACURRICULAR  
943 ACTIVITIES.—A charter school student is eligible to participate  
944 in an interscholastic extracurricular activity at the public  
945 school to which the student would be otherwise assigned to  
946 attend, or may develop an agreement to participate at a private  
947 school, pursuant to s. 1006.15(3)(d).

948 Section 7. Subsection (8) of section 1002.42, Florida  
949 Statutes, is amended to read:

950 1002.42 Private schools.—

951 (8) ATHLETIC COMPETITION.—A private school may participate  
 952 in athletic competition with a public high school by joining any  
 953 approved athletic association in accordance with s. 1006.20 ~~the~~  
 954 ~~provisions of s. 1006.20(1)~~.

955 Section 8. Paragraph (a) of subsection (1) and paragraph  
 956 (a) of subsection (2) of section 1006.165, Florida Statutes, are  
 957 amended to read:

958 1006.165 Well-being of students participating in  
 959 extracurricular activities; training.—

960 (1)(a) Each public school that is a member of any approved  
 961 athletic association under s. 1006.20 ~~the Florida High School~~  
 962 ~~Athletic Association (FHSAA)~~ must have an operational automated  
 963 external defibrillator on the school grounds. The defibrillator  
 964 must be available in a clearly marked and publicized location  
 965 for each athletic contest, practice, workout, or conditioning  
 966 session, including those conducted outside of the school year.  
 967 Public and private partnerships are encouraged to cover the cost  
 968 associated with the purchase and placement of the defibrillator  
 969 and training in the use of the defibrillator.

970 (2)(a) In order to better protect student athletes  
 971 participating in athletics during hot weather and avoid  
 972 preventable injury or death, each approved athletic association  
 973 under s. 1006.20 ~~the FHSAA~~ shall:

974 1. Make training and resources available to each member  
 975 school for the effective monitoring of heat stress.

976           2. Establish guidelines for monitoring heat stress and  
 977 identify heat stress levels at which a school must make a  
 978 cooling zone available for each outdoor athletic contest,  
 979 practice, workout, or conditioning session. Heat stress must be  
 980 determined by measuring the ambient temperature, humidity, wind  
 981 speed, sun angle, and cloud cover at the site of the athletic  
 982 activity.

983           3. Require member schools to monitor heat stress and  
 984 modify athletic activities, including suspending or moving  
 985 activities, based on the heat stress guidelines.

986           4. Establish hydration guidelines, including appropriate  
 987 introduction of electrolytes after extended activities or when a  
 988 student participates in multiple activities in a day.

989           5. Establish requirements for cooling zones, including, at  
 990 a minimum, the immediate availability of cold-water immersion  
 991 tubs or equivalent means to rapidly cool internal body  
 992 temperature when a student exhibits symptoms of exertional heat  
 993 stroke and the presence of an employee or volunteer trained to  
 994 implement cold-water immersion.

995           6. Require each school's emergency action plan, as  
 996 required by the association ~~FHSAA~~, to include a procedure for  
 997 onsite cooling using cold-water immersion or equivalent means  
 998 before a student is transported to a hospital for exertional  
 999 heat stroke.

1000



1001 The requirements of this paragraph apply year-round.

1002 Section 9. Section 1006.18, Florida Statutes, is amended  
1003 to read:

1004 1006.18 Cheerleader safety standards.—Each approved  
1005 athletic association under s. 1006.20 ~~the Florida High School~~  
1006 ~~Athletic Association or successor organization~~ shall adopt  
1007 statewide uniform safety standards for student cheerleaders and  
1008 spirit groups that participate in any school activity or  
1009 extracurricular student activity, if applicable. Such approved  
1010 athletic association ~~the Florida High School Athletic~~  
1011 ~~Association or successor organization~~ shall adopt the "Official  
1012 High School Spirit Rules," published by the National Federation  
1013 of State High School Associations, as the statewide uniform  
1014 safety standards.

1015 Section 10. Paragraph (a) of subsection (1) and subsection  
1016 (2) of section 1006.195, Florida Statutes, are amended to read:

1017 1006.195 District school board, charter school authority  
1018 and responsibility to establish student eligibility regarding  
1019 participation in interscholastic and intrascholastic  
1020 extracurricular activities.—Notwithstanding any provision to the  
1021 contrary in ss. 1006.15, 1006.18, and 1006.20, regarding student  
1022 eligibility to participate in interscholastic and  
1023 intrascholastic extracurricular activities:

1024 (1)(a) A district school board must establish, through its  
1025 code of student conduct, student eligibility standards and

1026 related student disciplinary actions regarding student  
 1027 participation in interscholastic and intrascholastic  
 1028 extracurricular activities. The code of student conduct must  
 1029 provide that:

1030 1. A student not currently suspended from interscholastic  
 1031 or intrascholastic extracurricular activities, or suspended or  
 1032 expelled from school, pursuant to a district school board's  
 1033 suspension or expulsion powers provided in law, including ss.  
 1034 1006.07, 1006.08, and 1006.09, is eligible to participate in  
 1035 interscholastic and intrascholastic extracurricular activities.

1036 2. A student may not participate in a sport if the student  
 1037 participated in that same sport at another school during that  
 1038 school year, unless the student meets the criteria in s.  
 1039 1006.15(3) (h).

1040 3. A student's eligibility to participate in any  
 1041 interscholastic or intrascholastic extracurricular activity may  
 1042 not be affected by any alleged recruiting violation until final  
 1043 disposition of the allegation pursuant to s. 1006.20(3) (b) ~~s.~~  
 1044 ~~1006.20(2) (b)~~.

1045 (2) (a) Each approved athletic association ~~the Florida High~~  
 1046 ~~School Athletic Association (FHSAA)~~ continues to retain  
 1047 jurisdiction over the following provisions in s. 1006.20, which  
 1048 may not be implemented in a manner contrary to this section:  
 1049 membership in the association ~~FHSAA~~; recruiting prohibitions and  
 1050 violations; student medical evaluations; investigations;

1051 sanctions for coaches; school eligibility and forfeiture of  
 1052 contests; student concussions or head injuries; ~~the sports~~  
 1053 ~~medical advisory committee;~~ and the general operational  
 1054 provisions of the association FHSAA.

1055 (b) Each approved athletic association under s. 1006.20  
 1056 ~~the FHSAA~~ must adopt, and prominently publish, the text of this  
 1057 section on its website and in its bylaws, rules, procedures,  
 1058 training and education materials, and all other governing  
 1059 authority documents ~~by August 1, 2016.~~

1060 Section 11. Paragraph (g) of subsection (2) of section  
 1061 1012.468, Florida Statutes, is amended to read:

1062 1012.468 Exceptions to certain fingerprinting and criminal  
 1063 history checks.—

1064 (2) A district school board shall exempt from the  
 1065 screening requirements set forth in ss. 1012.465 and 1012.467  
 1066 the following noninstructional contractors:

1067 (g) An investigator for any approved athletic association  
 1068 ~~the Florida High School Athletic Association (FHSAA)~~ who meets  
 1069 the requirements under s. 1006.20(3)(e) ~~s. 1006.20(2)(e)~~.

1070 Section 12. Paragraph (o) of subsection (1) of section  
 1071 1012.795, Florida Statutes, is amended to read:

1072 1012.795 Education Practices Commission; authority to  
 1073 discipline.—

1074 (1) The Education Practices Commission may suspend the  
 1075 educator certificate of any instructional personnel or school

1076 administrator, as defined in s. 1012.01(2) or (3), for up to 5  
 1077 years, thereby denying that person the right to teach or  
 1078 otherwise be employed by a district school board or public  
 1079 school in any capacity requiring direct contact with students  
 1080 for that period of time, after which the person may return to  
 1081 teaching as provided in subsection (4); may revoke the educator  
 1082 certificate of any person, thereby denying that person the right  
 1083 to teach or otherwise be employed by a district school board or  
 1084 public school in any capacity requiring direct contact with  
 1085 students for up to 10 years, with reinstatement subject to  
 1086 subsection (4); may permanently revoke the educator certificate  
 1087 of any person thereby denying that person the right to teach or  
 1088 otherwise be employed by a district school board or public  
 1089 school in any capacity requiring direct contact with students;  
 1090 may suspend a person's educator certificate, upon an order of  
 1091 the court or notice by the Department of Revenue relating to the  
 1092 payment of child support; may direct the department to place a  
 1093 certificateholder employed by a public school, charter school,  
 1094 charter school governing board, or private school that  
 1095 participates in a state scholarship program under chapter 1002  
 1096 on the disqualification list maintained by the department  
 1097 pursuant to s. 1001.10(4)(b) for misconduct that would render  
 1098 the person ineligible pursuant to s. 1012.315 or sexual  
 1099 misconduct with a student; or may impose any other penalty  
 1100 provided by law, if the person:

1101 (o) Has committed a third recruiting offense as determined  
 1102 by an approved athletic association ~~the Florida High School~~  
 1103 ~~Athletic Association (FHSAA)~~ pursuant to s. 1006.20(3)(b) ~~s.~~  
 1104 ~~1006.20(2)(b)~~.

1105 Section 13. Subsections (3) and (7) of section 1012.796,  
 1106 Florida Statutes, are amended to read:

1107 1012.796 Complaints against teachers and administrators;  
 1108 procedure; penalties.-

1109 (3) The department staff shall advise the commissioner  
 1110 concerning the findings of the investigation and of all  
 1111 referrals by an approved athletic association ~~the Florida High~~  
 1112 ~~School Athletic Association (FHSAA)~~ pursuant to ss.  
 1113 1006.20(3)(b) ~~ss. 1006.20(2)(b)~~ and 1012.795. The department  
 1114 general counsel or members of that staff shall review the  
 1115 investigation or the referral and advise the commissioner  
 1116 concerning probable cause or lack thereof. The determination of  
 1117 probable cause shall be made by the commissioner. The  
 1118 commissioner shall provide an opportunity for a conference, if  
 1119 requested, before ~~prior to~~ determining probable cause. The  
 1120 commissioner may enter into deferred prosecution agreements in  
 1121 lieu of finding probable cause if, in his or her judgment, such  
 1122 agreements are in the best interests of the department, the  
 1123 certificateholder, and the public. Such deferred prosecution  
 1124 agreements shall become effective when filed with the clerk of  
 1125 the Education Practices Commission. However, a deferred

1126 prosecution agreement may not be entered into if there is  
1127 probable cause to believe that a felony or an act of moral  
1128 turpitude, as defined by rule of the State Board of Education,  
1129 has occurred, or for referrals by any approved athletic  
1130 association ~~the FHSAA~~. Upon finding no probable cause, the  
1131 commissioner shall dismiss the complaint and may issue a letter  
1132 of guidance to the certificateholder.

1133 (7) A panel of the commission shall enter a final order  
1134 either dismissing the complaint or imposing one or more of the  
1135 following penalties:

1136 (a) Denial of an application for a certificate or for an  
1137 administrative or supervisory endorsement on a teaching  
1138 certificate. The denial may provide that the applicant may not  
1139 reapply for certification, and that the department may refuse to  
1140 consider that applicant's application, for a specified period of  
1141 time or permanently.

1142 (b) Revocation or suspension of a certificate.

1143 (c) Imposition of an administrative fine not to exceed  
1144 \$2,000 for each count or separate offense.

1145 (d) Placement of the teacher, administrator, or supervisor  
1146 on probation for a period of time and subject to such conditions  
1147 as the commission may specify, including requiring the certified  
1148 teacher, administrator, or supervisor to complete additional  
1149 appropriate college courses or work with another certified  
1150 educator, with the administrative costs of monitoring the

1151 | probation assessed to the educator placed on probation. An  
 1152 | educator who has been placed on probation shall, at a minimum:  
 1153 |       1. Immediately notify the investigative office in the  
 1154 | Department of Education upon employment or separation from  
 1155 | employment in any public or private position requiring a Florida  
 1156 | educator's certificate.  
 1157 |       2. Have his or her immediate supervisor submit annual  
 1158 | performance reports to the investigative office in the  
 1159 | Department of Education.  
 1160 |       3. Pay to the commission within the first 6 months of each  
 1161 | probation year the administrative costs of monitoring probation  
 1162 | assessed to the educator.  
 1163 |       4. Violate no law and fully comply with all district  
 1164 | school board policies, school rules, and State Board of  
 1165 | Education rules.  
 1166 |       5. Satisfactorily perform his or her assigned duties in a  
 1167 | competent, professional manner.  
 1168 |       6. Bear all costs of complying with the terms of a final  
 1169 | order entered by the commission.  
 1170 |       (e) Restriction of the authorized scope of practice of the  
 1171 | teacher, administrator, or supervisor.  
 1172 |       (f) Reprimand of the teacher, administrator, or supervisor  
 1173 | in writing, with a copy to be placed in the certification file  
 1174 | of such person.  
 1175 |       (g) Imposition of an administrative sanction, upon a

1176 person whose teaching certificate has expired, for an act or  
 1177 acts committed while that person possessed a teaching  
 1178 certificate or an expired certificate subject to late renewal,  
 1179 which sanction bars that person from applying for a new  
 1180 certificate for a period of 10 years or less, or permanently.

1181 (h) Refer the teacher, administrator, or supervisor to the  
 1182 recovery network program provided in s. 1012.798 under such  
 1183 terms and conditions as the commission may specify.

1184 (i) Direct the department to place instructional personnel  
 1185 or school administrators on the disqualification list maintained  
 1186 by the department pursuant to s. 1001.10(4)(b) for conduct that  
 1187 would render the person ineligible pursuant to s. 1012.315 or  
 1188 sexual misconduct with a student.

1189  
 1190 The penalties imposed under this subsection are in addition to,  
 1191 and not in lieu of, the penalties required for a third  
 1192 recruiting offense pursuant to s. 1006.20(3)(b) ~~s.~~  
 1193 ~~1006.20(2)(b)~~.

1194 Section 14. This act shall take effect July 1, 2023.