

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/CS/HB 151](#)

**TITLE:** Interscholastic Activities

**SPONSOR(S):** Abbott

**COMPANION BILL:** [CS/SB 248](#) (Simon)

**LINKED BILLS:** None

**RELATED BILLS:** None

### Committee References

[Education & Employment](#)

19 Y, 0 N, As CS

## SUMMARY

### Effect of the Bill:

The bill expands the ability of private school students to participate in interscholastic athletics at Florida High School Athletic Association (FHSAA) member public and private schools by amending the requirement that the private school the student attends not be a FHSAA member and removing enrollment limits. Under the bill, an otherwise eligible student may participate in a sport at a member school if the private school the student attends does not offer that sport. The bill clarifies how to determine if a school offers a sport. Additionally, the bill provides timelines for appeals of FHSAA determinations affecting student eligibility and requires the publication, in a deidentified manner, of FHSAA appeals decisions. The bill redistributes appointment authority for the FHSAA Board of Directors evenly between the Speaker of the House of Representatives, the President of the Senate, and the Governor.

### Fiscal or Economic Impact:

None

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## ANALYSIS

### EFFECT OF THE BILL:

The bill amends the program operated by the [Florida High School Athletic Association](#) (FHSAA) in conjunction with member school districts and member private schools that allows [private school student participation in interscholastic athletics](#) at member schools. The bill removes the prohibition on participation in the program by students attending member private schools. The bill implements a general requirement for all private schools that a student may not participate in the program if the desired sport is offered by the school that the student attends. Additionally, the bill removes the requirement that a private school have enrollment of 200 or fewer students in order to participate in the program.

The bill expands the ability of private school students to participate in interscholastic athletics at FHSAA member schools. If passed, an otherwise eligible student at any private school could participate in athletics at a member public or private school as long as the school the student attends does not offer the desired sport. The bill clarifies that when determining whether a school offers an activity or sport, the activity or sport must be in the same [designation of athletics teams](#) required by law relating to the biological sex of participants. (Section [1](#))

The bill makes several amendments to the [FHSAA appeals process](#). The bill establishes requirements for the membership of FHSAA committees on appeals. The bill establishes timelines for appeals of determinations affecting student eligibility, specifying timeframes for both decisions for the committees on appeals as well as the FHSAA Board of Directors review. The bill requires final decisions of the committees on appeals, the executive director, or his or her designee, and the FHSAA Board of Directors to be published to the FHSAA website after being deidentified.

**STORAGE NAME:** h0151b.EEC

**DATE:** 3/14/2025

The bill redistributes appointment authority for the [FHSAA Board of Directors](#) evenly between the Speaker of the House of Representatives, the President of the Senate, and the Governor. (Section [2](#))

The effective date of the bill is July 1, 2025, (Section [3](#)).

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### [Florida High School Athletic Association](#)

The Florida High School Athletic Association (FHSAA) is statutorily designated as the governing nonprofit organization for interscholastic athletics for grades 6 through 12 in Florida public schools. Any high school, middle school, or combination school,<sup>1</sup> including charter schools, virtual schools, private schools, and home education cooperatives,<sup>2</sup> may become a member of the FHSAA. The FHSAA is prohibited from denying or discouraging interscholastic competition between its member schools and non-FHSAA member schools in Florida and may not take discriminatory or retributory action against a member school that engages in interscholastic competition with non-FHSAA member schools.<sup>3</sup> The FHSAA is required to adopt bylaws regulating student eligibility, recruiting, and member schools' interscholastic competition in accordance with applicable law.<sup>4</sup>

#### [FHSAA Board of Directors](#)

The executive and legislative authority of the FHSAA is vested in its board of directors, which is composed of 13 members, 8 of whom are appointed by the Governor and confirmed by the Senate. The membership of the board of the directors must consist of the following:

- Two public member school representatives elected from among its public school representative members. Each elected representative must be from a different administrative region.<sup>5</sup>
- Two nonpublic member school representatives elected from among its nonpublic school representative members. Each elected representative must be from a different administrative region that is also different from the elected public member school representatives.
- Two public member school representatives appointed from different administrative regions.
- Two nonpublic member school representatives appointed from different administrative regions that are also different than those represented by the appointed public member school representatives.
- Two representatives, one appointed from the two northernmost administrative regions and one appointed from the two southernmost administrative regions.
- One district school superintendent appointed from the northernmost administrative region.
- One district school board member appointed from the southernmost administrative region.
- The Commissioner of Education or his or her designee from the Department of Education executive staff.<sup>6</sup>

#### [Designation of Athletics Teams](#)

Florida law requires that all interscholastic, intercollegiate, intramural, or club athletic teams or sports that are sponsored by a public secondary school or public postsecondary institution must be expressly designated as one of the following based on the biological sex at birth of team members:

- Males, men, or boys;
- Females, women, or girls; or

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<sup>1</sup> A “combination school” is any school that provides instruction to students in high school and the middle school grades; elementary, middle or high school grades combined; or elementary and middle grades combined (e.g. K-12; K-8; 6-12; or 7-12). Bylaw 3.2.2.3, FHSAA.

<sup>2</sup> A “home education cooperative” is a parent-directed group of individual home education students that provides opportunities for interscholastic athletic competition to those students and may include students in grades 6-12. Bylaw 3.2.2.4, FHSAA.

<sup>3</sup> Section [1006.20\(1\), F.S.](#)

<sup>4</sup> Section [1006.20\(2\), F.S.](#)

<sup>5</sup> FHSAA membership is divided into four administrative regions, with roughly an equal number of member schools to ensure equitable representation. Section [1006.20\(3\), F.S.](#)

<sup>6</sup> Section [1006.20\(4\)\(a\), F.S.](#)

- Coed or mixed, including both males and females.<sup>7</sup>

Athletic teams or sports designated for males, men, or boys may be open to students of the female sex while athletic teams or sports designated for females, women, or girls may not be open to students of the male sex.<sup>8</sup>

### **Private School Student Participation in Interscholastic Athletics**

The FHSAA, member school districts, and member private schools must establish a program through which private school students may participate in interscholastic sports at member public schools and member private schools. A private school student shall be eligible to participate in interscholastic athletics at a member public middle school, member public high school, member public 6-12 school, or member private school, if the private school that he or she attends is not a member of the FHSAA and he or she meets the guidelines for such participation established by the FHSAA and the district school board or member private school. Each academic year, a student participating in this program may only participate at the public school where the student first registers or makes himself or herself a candidate for an athletic team by engaging in a practice.<sup>9</sup>

The private school the participating student attends is required to share any of the participating student's education records necessary for the operation of the program with the FHSAA, upon request. The athletic director at the public school where the private school student participates is required to maintain any necessary education records.<sup>10</sup>

Only students attending private schools that are not members of the FHSAA and that have 200 or fewer students are authorized to participate in this program. Eligible students must apply using the FHSAA application process.<sup>11</sup> The parents of a participating student are responsible for transporting the student to and from the public school at which he or she participates.<sup>12</sup>

### **FHSAA Appeals Process**

Current law requires the FHSAA to establish a procedure of due process which allows each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete. The initial appeal must be made to a committee on appeals within the administrative region in which the student lives.<sup>13</sup> The FHSAA's bylaws establish a committee on appeals for each administrative region consisting of seven members, as follows:

- Two members representing public schools elected by, and from, the public school FHSAA Representatives in the administrative region;
- One member representing non-public schools elected by, and from, the non-public school FHSAA Representatives in the administrative region;
- One member representing public school districts selected on a rotating basis, when possible, by the Florida Association of District School Superintendents from among district school superintendents, or by the Florida School Boards Association from among district school board members in the administrative region.
- One member representing recognized non-public school accrediting associations selected by the Florida Association of Academic Non-public Schools from among district-, regional- or school-based non-public school administrators or governing board members in the administrative region;
- One at-large member from an under-represented sex and/or race appointed by the Board of Directors from among district, regional, or school administrators in the administrative region; and

<sup>7</sup> Section [1006.205\(3\)\(a\), F.S.](#) For purposes of such designation, a statement of a student's biological sex on the student's official birth certificate is considered to have correctly stated the student's biological sex at birth if the statement was filed at or near the time of the student's birth. Section [1006.205\(3\)\(d\), F.S.](#)

<sup>8</sup> Section [1006.205\(3\)\(b\)-\(c\), F.S.](#)

<sup>9</sup> Section [1006.15\(8\), F.S.](#)

<sup>10</sup> Section [1006.15\(8\)\(e\) and \(d\), F.S.](#)

<sup>11</sup> Section [1006.15\(8\)\(g\) and \(f\), F.S.](#)

<sup>12</sup> Section [1006.15\(8\)\(b\), F.S.](#) Additionally, this provision shields the FHSAA, the public school at which the student is participating, the district school board operating the school, and the private school the student attends from civil liability for any injuries that occur during such transportation.

<sup>13</sup> Section [1006.20\(7\)\(a\), F.S.](#)

- One attorney from among attorneys living in the administrative region, who within the last five years has been a member in good standing of the Florida Bar or the bar of any other state in the union.<sup>14</sup>

The committee on appeals is authorized to consider requests by member schools seeking exceptions to bylaws and regulations, to hear undue hardship eligibility cases filed by member schools on behalf of student athletes, and to hear appeals filed by member schools or student athletes.<sup>15</sup>

A student athlete or member school that receives an unfavorable ruling from a committee on appeals is entitled to appeal that decision to the FHSAA board of directors at its next regularly scheduled meeting or called meeting. The board of directors shall have the authority to uphold, reverse, or amend the decision of the committee on appeals. The decision of the board of directors is final. The FHSAA must expedite the appeals process on determinations of ineligibility so that disposition of the appeal can be made before the end of the applicable sports season, if possible.<sup>16</sup>

#### RECENT LEGISLATION:

YEAR	BILL #	HOUSE SPONSOR(S)	SENATE SPONSOR	OTHER INFORMATION
2023	<a href="#">CS/CS/HB 225</a>	Hawkins, Canady	Collins	Became law on July 1, 2023.
2023	<a href="#">CS/HB 259</a>	Brackett	Grall	Became law on July 1, 2023.

#### BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Education &amp; Employment Committee</a>	19 Y, 0 N, As CS	3/13/2025	Hassell	Wolff
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> <li>• Clarified that sports teams designated as single sex or co-ed constitute separate activities or sports for the purpose of determining if a school offers the sport or activity.</li> <li>• Distributed appointment authority for FHSAA board members equally between the Speaker, the President of the Senate, and the Governor.</li> <li>• Clarified that all FHSAA committees on appeals must be composed of a majority of representatives of member schools.</li> <li>• Established a timeline for the appeals process for determinations rendering a student athlete ineligible to participate.</li> <li>• Required FHSAA appeal decisions to be posted online.</li> </ul>			

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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<sup>14</sup> Bylaw 4.4.1, FHSAA.

<sup>15</sup> Section [1006.20\(7\)\(d\), F.S.](#)

<sup>16</sup> Section [1006.20\(7\)\(e\) and \(f\), F.S.](#)

