

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: CS/CS/SB 248

INTRODUCER: Judiciary Committee; Education Pre-K-12 Committee; and Senator Simon

SUBJECT: Student Participation in Interscholastic and Intrасcholastic Extracurricular Sports

DATE: March 20, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Palazesi</u>	<u>Bouck</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Collazo</u>	<u>Cibula</u>	<u>JU</u>	<u>Fav/CS</u>
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 248 expands the ability of home education program and private school students to participate in interscholastic or intrасcholastic athletics at Florida High School Athletic Association (FHSAA) member schools.

The bill authorizes home education program students to participate on interscholastic athletic teams at any public school within their school district, provided they meet certain conditions.

The bill also:

- Authorizes middle or high school students attending a private school to participate in interscholastic or intrасcholastic sports at a member public or private school if their private school does not offer their sport of interest, regardless of the private school’s FHSAA membership status.
- Eliminates the requirement that students be enrolled in a non-FHSAA member private school consisting of 200 students or fewer to participate in the program in any given academic year.

The bill takes effect July 1, 2025.

II. Present Situation:

The Florida High School Athletic Association (FHSAA)

The Florida High School Athletic Association (FHSAA) is a nonprofit organization governing athletics in Florida public schools. Any public or private high school or middle school in this state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA; however, membership in the FHSAA is not mandatory for any school.¹

The FHSAA is required to adopt bylaws that:

- Establish eligibility requirements.
- Prohibit recruiting.
- Require all students to pass a medical evaluation each year.
- Regulate people who conduct investigations on behalf of the FHSAA.
- Establish sanctions for coaches who have committed major violations of FHSAA bylaws.
- Establish the process and standards by which the FHSAA determines eligibility.
- Adopt guidelines to educate athletic coaches, officials, administrators, and student athletes and their parents, of the risks associated with concussions and head injuries.
- Require the parents of students who are participating, or may participate, in interscholastic competition to sign and return an informed consent explaining the nature and risk of concussion and head injury.
- Adopt bylaws that require each student athlete who is suspected of sustaining a concussion or head injury in practice or in a competition to be immediately removed from the activity.
- Adopt bylaws for the establishment and duties of a sports medicine advisory committee.²

Each year, the FHSAA sponsors more than 3,500 championship series games, through which 144 teams and 294 individuals are crowned state champions in 32 sports. More than 800,000 students participate in these athletic programs annually.³

Florida law authorizes home education program students, and students who attend a charter school or the Florida Virtual School, to participate in interscholastic activities at a public school or at a private school. These students must:

- Meet requirements related to educational progress.
- Meet the same standards of acceptance, behavior, and performance that are required of other students in extracurricular activities.
- Register his or her intent to participate with the school.⁴

Home Education Program Student Participation in the FHSAA

A home education student is eligible to participate in FHSAA interscholastic activities at:

¹ Section 1006.20(1), F.S.

² Section 1006.20(2), F.S.

³ Florida High School Athletic Association, *About FHSAA*, <https://fhsaa.com/sports/2020/1/16/About.aspx> (last visited Mar. 13, 2025).

⁴ Section 1006.15(3)(c)-(e), F.S.

- The public school to which the student would be assigned based on the district school board's attendance area policies; or
- A public school the student could choose to attend under controlled open enrollment.

The student may also enter into an agreement with a private school to participate in that school's interscholastic activities.⁵

To be eligible, home education students must meet the following criteria:

- The home education student must meet the requirements of the home education program.⁶
- During the period of participation at a school, the home education student must demonstrate educational progress in all subjects taken in the home education program, using a method of evaluation agreed upon by the parent and the school principal.
- The home education student must meet the same residency requirements as other students in the school at which he or she participates.
- The home education student must meet the same standards of acceptance, behavior, and performance as required of other students in extracurricular activities.
- The student must register with the school his or her intent to participate in interscholastic extracurricular activities as a representative of the school before participation.
- A student who transfers from a home education program to a public school before or during the first grading period of the school year is academically eligible to participate in interscholastic extracurricular activities during the first grading period, provided the student has a successful evaluation from the previous school year.
- Any public school or private school student who has been unable to maintain academic eligibility for participation in interscholastic extracurricular activities is ineligible to participate in such activities as a home education student, until the student has successfully completed one grading period in home education.⁷

Private School Student Participation in the FHSAA

The FHSAA must work with each district school board, and its member private schools, to facilitate a program allowing middle or high school students in private schools to participate in interscholastic or intrascholastic sports at member public or private schools.⁸

Middle and high school students attending private schools are eligible to participate in interscholastic or intrascholastic sports at FHSAA member public or private schools if:

- The private school in which the student is enrolled is not a member of the FHSAA.
- The private school student meets program guidelines established by the FHSAA's board of directors and the district school board or the FHSAA member private school.⁹

⁵ Section 1006.15(3)(c), F.S.; *see also* s. 1002.31, F.S. (regarding controlled open enrollment).

⁶ *See* s. 1002.41, F.S. (regulating home education programs). A "home education program" means the sequentially progressive instruction of a student directed by his or her parent to satisfy certain statutory attendance requirements. Section 1002.01(1)(a), F.S. (referencing the attendance requirements of ss. 1002.41, 1003.01(16), and 1003.21(1), F.S.).

⁷ Section 1006.15(3)(c), F.S.

⁸ Section 1006.15(8)(a), F.S.

⁹ *Id.*

The parents of a private school student participating in an FHSAA interscholastic or intrascholastic activity are responsible for transporting their child to and from the member school where the student participates. Each year, the private school student may only participate at the member school in which he or she registered, and the student must apply to participate in the program through the FHSAA. Only students enrolled in non-FHSAA member private schools having 200 or fewer students are eligible to participate at an FHSAA member school in any given academic year.¹⁰

III. Effect of Proposed Changes:

The bill amends s. 1006.15, F.S., which governs student standards for participation in interscholastic and intrascholastic extracurricular student activities, to expand the ability of home education program and private school students to participate in interscholastic or intrascholastic athletics at Florida High School Athletic Association (FHSAA) member schools.

The bill amends s. 1006.15(3)(c), F.S., to authorize students enrolled in a home education program to participate on interscholastic athletic teams at any public school within their school district, provided they reside in that district and meet the conditions otherwise specified in the statute.¹¹

With respect to the program facilitating middle or high school students in private schools to participate in interscholastic or intrascholastic sports at member public or private schools, the bill amends s. 1006.15(8), F.S., to:

- Authorize middle or high school students attending a private school to participate in interscholastic or intrascholastic sports at a member public or private school if their private school does not offer their sport of interest, regardless of the private school's FHSAA membership status.
- Eliminate the requirement that students be enrolled in a non-FHSAA member private school consisting of 200 students or fewer to participate in the program in any given academic year.

Finally, the bill amends s. 1006.15(2), F.S., to clarify that for purposes of the statute, an FHSAA school offers an activity or a sport if it is expressly designated as one of the following based on biological sex at birth of team members: males, men, or boys; females, women, or girls; or coed or mixed, including both males and females.¹²

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

¹⁰ Section 1006.15(8)(b), (c), (f), and (g), F.S.

¹¹ See s. 1006.15(3)(c)1.-7., F.S. (providing the conditions).

¹² See s. 1006.205(3)(a), F.S. (requiring schools to be expressly designated).

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not have a fiscal impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1006.15 of the Florida Statutes:

IX. Additional Information:

- A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K-12 on March 11, 2025:

The committee substitute authorizes home education students to participate on an interscholastic athletic team at any public school within their school district of residence, provided they meet certain requirements.

CS/CS by Judiciary on March 19, 2025:

The committee substitute revises the underlying bill to clarify how a private school student may determine whether an FHSAA school offers an activity or a sport for purposes of s. 1006.15, F.S. Under the committee substitute, an FHSAA school offers an activity or a sport if it is expressly designated as one of the following based on biological sex at birth of team members: males, men, or boys; females, women, or girls; or coed or mixed, including both males and females.

B. Amendments:

None.