

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/SB 538

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

SUBJECT: Extracurricular Activities

DATE: February 2, 2026

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>Pre-meeting</u>
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 538 revises student eligibility and participation requirements for interscholastic and intrascholastic extracurricular activities, including athletics, by defining key terms and establishing an “eligible student” framework for home education, charter, private, Florida Virtual School, alternative, and traditional public-school students.

Among other things, the bill:

- Prohibits schools from imposing additional participation fees on students participating in extracurricular activities.
- Restricts participation in the same sport at different schools within the same school year unless the student meets specified criteria.
- Creates timelines for the appeals process for eligibility determinations.
- Requires annual participation in the Presidential Youth Fitness Program as part of school districts’ physical education curriculum.
- Authorizes school districts, in their sole discretion, to determine and approve athletic coach compensation.

The bill takes effect July 1, 2026.

II. Present Situation:

The present situation corresponding to each relevant portion of the bill is provided in Section III, Effect of Proposed Changes.

III. Effect of Proposed Changes:**Interscholastic and Intrасcholastic Extracurricular Activities***Present Situation*Student Eligibility

Interscholastic extracurricular student activities are an important complement to the academic curriculum. Participation in a comprehensive extracurricular and academic program contributes to student development of the social and intellectual skills necessary to become a well-rounded adult. Florida law defines the term “extracurricular” as meaning any school-authorized or education-related activity occurring during or outside the regular instructional school day.¹

To be eligible to participate in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contests, a student must:

- Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in certain courses.
- Execute and fulfill the requirements of an academic performance contract if the student’s cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in certain courses.
- Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in certain courses during his or her junior or senior year.
- Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies. Student participation after a felony conviction is contingent upon established and published district school board policy.²

¹ Section 1006.15(2), F.S.

² Section 1006.15(3)(a), F.S.

Where Student Participation Can Occur

The table below provides an overview of where students may participate based on their school choice:³

Educational Setting	Where they can participate
Home Education Student	A home education student may participate at any public school in the school district in which he/she resides for athletics. For all other extracurricular activities, the home education student may participate at the student’s zoned school, or the public school he/she could choose to attend in accordance with the district’s controlled open enrollment procedures (including a charter or lab school) in another school district. The home education student may also develop an agreement to participate at a private school, or at a home education cooperative.
Personalized Education Program (PEP) Student	A PEP student may participate at any public school in the school district in which he/she resides for athletics. For all other extracurricular activities, the PEP student may participate at the student’s zoned school, or the public school he/she could choose to attend in accordance with the district’s controlled open enrollment procedures (including a charter or lab school) in another school district. The PEP student may also develop an agreement to participate at a private school, or at a home education cooperative.
Charter School Student	A charter school student may participate at his/her home-zoned public school, the public school he/she could choose to attend in accordance with the district’s controlled open enrollment procedures (including another charter or lab school). The charter school student may also develop an agreement to participate at a private school.
Special or Alternative School Student	A special or alternative school student may participate at another school only if his/her special or alternative school is operated by the school district and offers NO athletic program. The special or alternative school must also be authorized by the district superintendent each year.
Private School Student	A private school student may participate at another school only if his/her private school is not a member of the FHSAA or does NOT offer the sport in which he/she wishes to participate.
Virtual School Student	A virtual school student may participate at any public school in the school district in which he/she resides, the public school he/she could choose to attend in accordance with the district’s controlled open enrollment procedures (including a charter or lab school) in another school district. A virtual school student may also develop an agreement to participate at a private school.
Traditional Public-School Student	A traditional public-school student may participate at another school in the district (or at a private school) only if his/her public school does NOT offer the sport in which he/she wishes to participate.

³ Section 1006.15, F.S.; see also Florida High School Athletic Association, *Non-Traditional Students*, https://fhsaa.com/sports/2020/3/11/Nontraditional_Students.aspx (last visited Jan. 28, 2026).

The student standards for participation in interscholastic extracurricular activities must be applied beginning with the student's first semester in the 9th grade. Each student must meet such other requirements for participation as may be established by the district school board; however, a district school board may not establish requirements for participation in interscholastic extracurricular activities which make participation in such activities less accessible to home education students than to other students.⁴

A home education student must be covered by any insurance provided by the district school board for extracurricular activity participants. If an additional premium is required for such coverage, the participating home education student must pay the premium.⁵

Several school districts in Florida require public school students to pay to participate in their sports clubs. For example, in the Pasco County School District, students in middle school are required to pay \$80.00 for the first sport and \$50.00 for the second sport, with an individual student being capped at \$130.00. Students are not charged a fee to tryout for a sport.⁶

School Responsibilities

The athletic director for each participating FHSAA member school must maintain the student records necessary for eligibility, compliance, and participation in the program. Any private school that has a student who wishes to participate in this program must make all student records including academic, financial, disciplinary, and attendance records available upon request to the FHSAA.⁷

Student Transfers

A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not reached the activity's identified maximum size and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and school district or charter school may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.⁸

A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria:

- Dependent children of active-duty military personnel whose move resulted from military orders.
- Children who have been relocated due to a foster care placement in a different school zone.
- Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
- Authorized for good cause in district or charter school policy.⁹

⁴ Section 1006.15(4), F.S.

⁵ Section 1006.15(7), F.S.

⁶ Pasco County Schools Athletics, *Athletic Fees 2025-26*, available at https://www.pasco.k12.fl.us/library/athletics/Athletic_Fees_2025-26.pdf (last visited Jan. 28, 2026).

⁷ Section 1006.15(8)(d)(e), F.S.

⁸ Section 1006.15(9)(a), F.S.

⁹ Section 1006.15(9)(b), F.S.

A student who participates in an interscholastic or intrascholastic activity at a public school and who transfers from that school during the school year must be allowed to continue to participate in the activity at the school for the remainder of the school year if:

- The student continues to meet the standard eligibility requirements in statute.
- The student continues to meet the same standards of acceptance, behavior, and performance which are required of other students participating in the activity, except for the enrollment requirements at the school at which the student participates.
- The parents of the student participating in the activity provide for the transportation of the student to and from the school at which the student participates. The school the student attends, the school at which the student participates in the activity, and the district school board are exempt from civil liability arising from any injury that occurs to the student during such transportation.¹⁰

Effects of Proposed Changes

The bill makes substantial changes to high school and middle school athletics in Florida regarding student eligibility, transfers, and costs for students to play sports.

Student Eligibility

The bill amends s. 1006.15, F.S., to define the following terms:

- “Eligible student” means a home education student, charter school student, private school student, Florida Virtual School student, alternative school student, or traditional public-school student who wishes to participate in an interscholastic or intrascholastic extracurricular activity.
- “Governing Organization” means any organization that governs the athletic activities of a school, including, but not limited to, the Florida High School Athletic Association.

Where Student Participation Can Occur

The bill deletes the existing options for where and how a student can participate in extracurricular activities. It also aligns student eligibility for all students, regardless of the educational setting, by specifying that students are eligible to participate in an interscholastic or intrascholastic extracurricular activity at the school in which he or she is enrolled. An eligible student may participate in an interscholastic or intrascholastic extracurricular activity at a school other than the school in which the student is enrolled if:

- The school in which the student is enrolled does not offer the same interscholastic or intrascholastic extracurricular activity or the student is in a home education program; and
- The school at which the student will participate in the interscholastic or intrascholastic extracurricular activity is located in the school district in which the student resides.

The bill provides that if a public or charter school in the district in which the student resides does not offer the interscholastic or intrascholastic extracurricular activity, and an agreement cannot be reached with a private school in the district in which the student resides, the student may participate at a public, charter, or private school that is appropriate for the student’s grade level located outside of his or her school district. The school at which the student participates must be

¹⁰ Section 1006.15(10), F.S.

in a school district adjacent to the school district in which the student resides. The student may also petition the executive director of the governing organization to explore additional options.

The bill also provides that any participation by an eligible student at a private school other than the school in which the student is enrolled must be pursuant to an agreement between the private school and the student.

School Responsibilities

The bill requires that all schools, private and public, follow new requirements regarding their athletic programs. The bill expands the school personnel who may maintain necessary student records. It also requires such records be kept for all eligible students from both FHSAA and non-FHSAA schools.

The bill requires students to apply to participate in an interscholastic or intrascholastic extracurricular activity at a school other than the school in which the students are enrolled using one of the following methods:

- Applying to the school's governing organization for the extracurricular activity as provided for in the governing organization's bylaws.
- If there is no governing organization for the extracurricular activity for which the student is applying, through an appropriate process that complies with state law¹¹ and State Board of Education rules.

The bill prohibits a public or private school in which a student wishes to participate in extracurricular activities from imposing additional fees or costs for participation outside of the fees or costs students currently enrolled at the school pay to participate in the extracurricular activity.

The bill also requires the parents of the student participating in the activity to provide for the transportation of the student to and from the school at which the student participates. The school in which the student is enrolled, the school at which the student participates in the activity, and the district school board are exempt from civil liability arising from any injury that occurs to the student during transportation.

Student Transfers

The bill prohibits a student from participating in interscholastic activities at two different schools during the same school year unless the student:

- Is a dependent child of active duty military personnel whose move resulted from military orders;
- Has been relocated due to a foster care placement in a different school zone;
- Has moved due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent; or
- Has been granted approval by the applicable governing organization's executive director.

¹¹ Sections 1002.31 and 1002.41, F.S.

The bill requires the governing organization to provide a determination of eligibility to the requesting student within 14 days after the request is made, and to adopt bylaws establishing criteria for determining the eligibility of transferring students.

Florida High School Athletic Association

Present Situation

Florida High School Athletic Association

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.¹² 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 each year.¹³

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.¹⁴

FHSAA Appeals Process

The FHSAA is required to establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling on 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. The FHSAA's bylaws establish the number, size, and composition of each committee on appeals.¹⁵ The authority and duties of a committee on appeals is to consider requests by member schools seeking exceptions to bylaws and regulations, to hear undue hardship eligibility cases

¹² Section 1006.20(1), F.S.

¹³ Florida High School Athletic Association, *Florida High School Athletic Association*, <https://fhsaa.com/sports/2020/1/16/About.aspx> (last visited Jan. 28, 2026).

¹⁴ Section 1006.20(2), F.S.

¹⁵ Section 1006.20(7)(a), F.S.

filed by member schools on behalf of student athletes, and to hear appeals filed by member schools or student athletes.¹⁶

A member of the committee on appeals may not be a member of the board of directors. The term is 3 years. He or she is eligible to succeed himself or herself only once, for a maximum of 6 consecutive years.¹⁷

The FHSAA is required to 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.¹⁸ Decisions made by the committee on appeals, the executive director or his or her designee, and the FHSAA board of directors must be posted online in a searchable format.¹⁹

Effects of Proposed Changes

The bill amends s.1006.20, F.S., to provide that a governing organization's bylaws may not establish a timeline for appeals that exceeds 20 days. Additionally, the decisions made by the committee on appeals, the executive director, or his or her designee, and the governing organization board of directors must be posted online in a searchable format, subject to student records protections established in law.

Presidential Youth Fitness Program

Present Situation

The Presidential Youth Fitness Program is a comprehensive school-based program that promotes health and regular physical activity for America's youth. The program is voluntary and offers educators free access to a health-related assessment for youth fitness, professional development for meaningful implementation, and motivational recognition to empower students to adopt and maintain an active lifestyle. The program emphasizes the value of living a physically active and healthy lifestyle in school and beyond. It minimizes comparisons between children and instead supports students as they pursue personal fitness goals for lifelong health.²⁰

The President's Council on Sports, Fitness & Nutrition (PCSFN) is a federal advisory committee that aims to promote healthy eating and physical activity for all people, regardless of background or ability. President Trump's Executive Order 14327 of July 31, 2025, revitalizes the council and calls for the reestablishment of the Presidential Fitness Test. The council promotes youth sports and the physical, mental, and civic benefits of daily movement, exercise, and good nutrition. It also engages every sector (public and private, civilian and military) in creating a national culture of strength, vitality, and excellence. Since 1966, the council has promoted the Youth Fitness

¹⁶ Section 1006.20(7)(d), F.S.

¹⁷ Section 1006.20(7)(b), (c), F.S.

¹⁸ Section 1006.20(7)(f), F.S.

¹⁹ Section 1006.20(7)(h), F.S.

²⁰ U.S. Department of Health and Human Services, Office of Disease Prevention and Human Promotion (U.S. DHHS), *Presidential Youth Fitness Program*, <https://odphp.health.gov/pcsfn/programs-awards/presidential-youth-fitness-program> (last visited Jan. 28, 2026).

Test. While the fitness test has changed over the years, the current test continues to assess physical fitness using data from the 1985 National School Population Fitness Survey.²¹

The Presidential Youth Fitness Program is administered by the National Fitness Foundation, whose goal is to provide students and schools with access to high quality resources and tools to promote physical activity and support and reward physical health and fitness. Currently, the National Fitness Foundation is actively working with the U.S. Department of Health and Human Services and the President's Council on Sports, Fitness & Nutrition to update the Presidential Youth Fitness Program for today's youth.²²

Effects of Proposed Changes

The bill amends s. 1003.455, F.S., to ensure that students in grades K-12 participate in the Presidential Youth Fitness Program, or its successor program, each year as part of the school district's physical education curriculum. However, since high school students are required to complete only one credit in physical education to earn a standard high school diploma, it is likely that a student who has completed the physical education requirement and is not participating in athletics would not participate in the program every year.

Athletic Coach Compensation

Present Situation

Salary Schedules and Collective Bargaining

District school boards are required to designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees. Additionally, school districts are required to develop a compensation and salary schedule that includes:

- A grandfathered salary schedule for employees hired before July 1, 2014, which must base a portion of compensation on performance under the district's evaluation system and provide differentiated pay for instructional personnel and school administrators based on district-determined factors such as additional responsibilities, school demographics, high-need areas, and job difficulty.
- A performance salary schedule for employees hired on or after July 1, 2014, or employees who opt out of the grandfathered schedule, which must provide annual salary adjustments for instructional personnel and school administrators based on their performance evaluations.²³

School districts engage in collective bargaining with employee unions, but certain responsibilities cannot be negotiated away. Collective bargaining agreements cannot prevent a school district from exercising its authority regarding:

- Providing incentives to effective and highly effective teachers.

²¹ U.S. DHHS, *Presidential Youth Fitness Program*, <https://odphp.health.gov/pcsfn/programs-awards/presidential-youth-fitness-program> (last visited Jan. 28, 2026); U.S. DHHS, *About the President's Council on Sports, Fitness & Nutrition*, <https://odphp.health.gov/pcsfn/about-pcsfn> (last visited Jan. 28, 2026).

²² National Fitness Foundation, *Presidential Youth Fitness Program*, <https://fitness.foundation/presidential-youth-fitness-program-2> (last visited Jan. 28, 2026).

²³ Section 1012.22(1), F.S.

- Implementing intervention and support strategies to address low student performance and improve academic outcomes and attendance.
- Implementing student discipline policies, including reviewing a student’s abilities, past performance, behavior, and needs.
- Implementing school safety plans and requirements.
- Implementing staff and student recognition programs.
- Distributing correspondence to parents, teachers, and the community related to daily school and district operations.
- Providing any required notices or copies of information related to district school board or district operations, which is readily available on the school district’s website.
- The school district’s calendar.²⁴

In addition to salary adjustments, each school district must provide salary supplements for activities that must include, but are not limited to:

- Assignment to a Title I eligible school.
- Assignment to a school that earned a grade of “F” or three consecutive grades of “D” pursuant to state law,²⁵ such that the supplement remains in force for at least 1 year following improved performance in that school.
- Certification and teaching in high-demand teacher needs areas, as identified by the State Board of Education or the school district.
- Assignment of additional academic responsibilities.²⁶

Athletic Coaches

In most school districts, athletic coaches are hired as teachers and are provided a salary supplement for performing the duties of a coach. All salary supplements provided to teachers, including supplements for coaches, are negotiated through collective bargaining. Because of the collectively bargained nature of coaches’ stipends, there is also variation between school districts. For example, the average stipend for a head football coach in Broward County in 2024-25 was \$3,038, while the average stipend for the same position in Collier County was \$7,000.²⁷

By comparison, head football coaches in neighboring states receive significantly more compensation, with many receiving more than \$100,000 annual salary. There is even one example in Georgia where a coach was receiving \$219,214.65 in annual compensation.²⁸

Effect of Proposed Changes

The bill amends s. 1012.22, F.S., to authorize each district school board, at its sole discretion, to determine and approve the compensation of any person employed as an athletic coach, assistant coach, or athletic program supervisor, regardless of whether such individual is classified as

²⁴ Section 1012.22(3), F.S.

²⁵ See s. 1008.34, F.S., which regulates the school grading system.

²⁶ Section 1012.22(1)(c)5., F.S.

²⁷ Andrew Ramjit, Executive Director, Florida Coaches Associations, *Coaches Compensation in Florida* (Nov. 4, 2025), available at <https://flsenate.gov/Committees/DownloadMeetingDocument/7891> (see pg. 30 of Committee Meeting Expanded Agenda).

²⁸ *Id.* (see pgs. 31-32 of Committee Meeting Expanded Agenda).

instructional personnel. Compensation may exceed any salary schedule, supplement, or stipend otherwise prescribed and may be paid in any form or amount deemed appropriate by the district school board, including, but not limited to, salaries, stipends, bonuses, performance-based incentives, and hourly or per-assignment pay. Such compensation is considered part of the coach's total compensation. The bill also clarifies that limitations on supplemental pay applicable to instructional personnel do not apply to compensation provided to athletic coaches.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

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. The bill could have an impact on school districts to the extent they must cover the required insurance for students wishing to participate in specified activities and the costs of programs. The bill could also impact school districts if they decide to compensate athletic coaches as described in the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1006.15, 1002.33, 1003.455, 1006.195, 1006.20, and 1012.22.

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 January 20, 2026:**

The committee substitute retitles the bill “Extracurricular Activities.”

The committee substitute amends s. 1006.15, F.S., to specify that home education students may participate at any public school within their district and that a student enrolled in a school that does not offer an extracurricular activity may participate in that extracurricular activity at any school within the district. Accordingly, the committee substitute removes the provision in the bill that such students may participate at their local zoned school.

The committee substitute also prohibits a student from participating in interscholastic activities at two different schools during the same school year unless the student:

- Is a dependent child of active duty military personnel whose move resulted from military orders;
- Has been relocated due to a foster care placement in a different school zone; or
- Has been granted approval by the applicable governing organization’s executive director.

The committee substitute deletes the phrase “in which a student is enrolled” relating to the imposition of activity fees, to clarify that the fee prohibition applies to the school where the student seeks to participate, regardless of the student’s enrollment status.

The committee substitute amends s. 1006.20, F.S., to remove the provision in the bill regarding decisions made by the committee on appeals being posted online in a searchable format and in compliance with ss. 1002.22 and 1002.221, F.S., which govern privacy of student educational records. The committee substitute instead amends the current statutory provision regarding the posting of committee decisions on appeals by replacing “FHSAA” with “governing organization.”

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
