

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 Rules

BILL: CS/CS/CS/SB 538

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

SUBJECT: Extracurricular Activities

DATE: February 11, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Palazesi	Bouck	ED	Fav/CS
2.	Collazo	Cibula	JU	Fav/CS
3.	Palazesi	Kruse	RC	Fav/CS

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/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. The bill also:

- Authorizes public schools to assess an activity fee on homeschool students who wish to participate in interscholastic or intrascholastic extracurricular activities at the public school.
- Restricts participation in sports at different schools within the same school year unless the student meets specified criteria.
- Creates timelines for the appeals process for eligibility determinations.
- Authorizes school districts to classify athletic coaches and activity sponsors of extracurricular activities as administrative personnel and negotiate salary compensation that may not exceed the highest paid school administrator in the school district.

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 interscholastic and intrascholastic activities of a school, including, but not limited to, the Florida High School Athletic Association.

The bill revises the eligibility requirements for home education program students by no longer requiring them to satisfy the same residency requirements as other students in the school in which they participate.

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.

¹⁰ Section 1006.15(10), F.S.

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 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 provides that public schools in which a student wishes to participate may assess an activity fee to a student that is not enrolled, provided the fee is uniformly applied within the school or district for the activity and does not exceed the prorated per-student cost to the school or district for the activity.

The term "prorated per-student cost to the school or district for the activity" is defined in the bill to mean the school's or the district's direct costs, that must include any increase in insurance premiums, that are necessary to provide the specific interscholastic or intrascholastic extracurricular activity within the school or district, divided by the number of students participating in that activity in the school or district.

The bill requires schools or districts to adopt a written policy for calculating these costs. The policy must be adopted at a school board meeting, annually by July 1, for the upcoming school year, and the activity fee schedule and supporting calculations for each activity must be published on the school district's website. The fee schedule must be voted on by the district school board as an action item. Once the fee schedule is approved, it must be submitted to the Department of Education. Additionally, the public school at which a home education student

¹¹ Sections 1002.31 and 1002.41, F.S.

who is registered with the school district and wishes to participate may assess the eligible home education student only the out-of-pocket costs paid by public school students for the interscholastic or intrascholastic 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.

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. The bill requires that the governing organization establish an appeals process that is equivalent to the appeals procedure that is currently in law.¹²

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.¹³ 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.¹⁴

¹² Section 1006.20(7), F.S. The FHSAA shall establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete. The initial appeal shall be made to a committee on appeals within the administrative region in which the student lives. The FHSAA's bylaws shall establish the number, size, and composition of each committee on appeals.

¹³ Section 1006.20(1), F.S.

¹⁴ Florida High School Athletic Association, *Florida High School Athletic Association*, <https://fhsaa.com/sports/2020/1/16/About.aspx> (last visited Jan. 28, 2026).

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.¹⁵

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.¹⁶ 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 filed by member schools on behalf of student athletes, and to hear appeals filed by member schools or student athletes.¹⁷

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.¹⁸

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.¹⁹ 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.²⁰

Effects of Proposed Changes

The bill amends s.1006.20, F.S., to require the FHSAA to adopt, maintain, and enforce sport-specific manuals or handbooks that govern interscholastic competition. The manuals or handbooks may include, but are not limited to, timing, scoring, equipment, officiating, and

¹⁵ Section 1006.20(2), F.S.

¹⁶ Section 1006.20(7)(a), F.S.

¹⁷ Section 1006.20(7)(d), F.S.

¹⁸ Section 1006.20(7)(b), (c), F.S.

¹⁹ Section 1006.20(7)(f), F.S.

²⁰ Section 1006.20(7)(h), F.S.

athlete safety. The bill requires the FHSAA to ensure that athletes may request exemptions or accommodations from real-time scoring requirements not later than 72 hours before a sanctioned event. If a request is made within the prescribed time, the FHSAA must provide access to accommodations for such participants.

The bill provides 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.

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:²¹

- 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.

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:²²

- Providing incentives to effective and highly effective teachers.
- 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.

²¹ Section 1012.22(1), F.S.

²² Section 1012.22(3), F.S.

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 \$7,000.²³

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.²⁴

Supplemental Support Organizations

The approval and management of supplemental support organizations, such as booster clubs, generally falls within the constitutional authority of district school boards to operate and control and supervise all free public schools within the school district. For statutorily created districts such as developmental research schools or the Florida Virtual School, the governing statutes provide the necessary authorization for the creation and management of supplemental support organizations.²⁵

Current law outlining district school board supplemental powers related to fiscal management authorizes school boards to adopt policies governing sales by booster clubs, marathon fundraisers, and student sales of candy, paper products, or other goods authorized by the district school board.²⁶

Effect of Proposed Changes

The bill amends s. 1001.43, F.S., to authorize a district school board to adopt a policy regarding the use of voluntary donations and revenues generated by authorized booster clubs or associations to provide funds to athletic coaches or activity sponsors of an extracurricular activity supported by the booster club or association. The bill requires that the policy authorizing payment by booster clubs or associations must comply with state and federal law and may not control the provision of funds except that such funds may not be used for severance pay or for salary compensation.

The bill amends s. 1012.01, F.S., to define athletic administrators and activity sponsor directors of extracurricular activities. The bill includes in this definition any athletic director or coach or the director of an activity sponsor specified by the district school superintendent. The district school superintendent may negotiate individual compensation in excess of compensation otherwise awardable pursuant to s. 1012.22. Such compensation may not exceed the compensation of the highest paid administrator in the district.

²³ 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).

²⁴ *Id.* (see pgs. 31-32 of Committee Meeting Expanded Agenda).

²⁵ See ss. 1002.32(6) and 1002.37(2)(e), F.S.

²⁶ Section 1001.43(2)(b), F.S.

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: 1001.43, 1006.15, 1002.31, 1002.33, 1006.195, 1006.20, and 1012.01.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS/CS by Rules on February 10, 2026:

The committee substitute:

- Prohibits booster funds from being used to pay salaries, requires that all funds raised by booster organizations comply with state and federal law, and specifies that a superintendent may hire a coach or sponsor as an administrator and may not pay that coach or sponsor more than the highest administrator salary.
- Revises athletic fee provisions to require that any fee schedule be approved by the district school board as an action item by July 1 of each year and submitted to the Department of Education. The amendment removes language specifying that PEP students be charged a fee and instead allows a fee to be charged to any student who is not enrolled.
- Modifies the definition of “eligible to participate” by replacing the term “any” with “all.”
- Broadens the definition of “governing organization” to include organizations that govern extracurricular activities, not solely athletics.
- Requires school districts to consider insurance premiums as a factor when establishing extracurricular activity fees.
- Requires governing organizations to provide accommodations to real-time scoring requirements if requested by a student.
- Incorporates an appeals process for the student transfer provisions.

CS/CS by Judiciary on February 3, 2026:

The committee substitute:

- Deletes duplicative language prohibiting students from participating in interscholastic activities at two different schools during the same school year.
- Deletes language that requires charter school students to participate in interscholastic extracurricular activities at their assigned public school or at a private school because, under the bill, they may participate in such activities at any school in the district if their current school does not offer it.
- Reinserts eligibility requirements for home education students to participate in interscholastic or intrascholastic extracurricular activities, which were deleted by the underlying bill, because typical student eligibility requirements such as GPA and regular attendance do not apply to home education students.
- Revises the eligibility requirements for home education program students by no longer requiring them to satisfy the same residency requirements as other students in the school in which they participate.

- Authorizes public schools to assess an activity fee on homeschool students who wish to participate in interscholastic or intrascholastic extracurricular activities at the public school.
- Allows the district school board to determine and approve the extracurricular activity compensation of persons employed as activity sponsors in addition to athletic coaches, assistant coaches, and athletic program supervisors.
- Corrects a cross-reference.

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 “FHSA” with “governing organization.”

B. Amendments:

None.