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**DATE:** March 19, 1999

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
EDUCATION K-12  
ANALYSIS**

**BILL #:** CS/HB 495

**RELATING TO:** Student Standards for Participation in Interscholastic Extracurricular Activities

**SPONSOR(S):** Committee on Education K-12 and Representative Boyd

**COMPANION BILL(S):** SB 978

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) EDUCATION K-12 YEAS 8 NAYS 0
  - (2) EDUCATION APPROPRIATIONS
  - (3)
  - (4)
  - (5)
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I. SUMMARY:

The committee substitute revises student standards for participation in interscholastic extracurricular student activities. It clarifies that schools are not mandated to authorize participation by nonpublic school students. It revises the minimum grade point average (GPA) needed to maintain eligibility and establishes a contractual agreement for cases where a student's average falls below the minimum required GPA. At a minimum, the contract must specify that a student whose cumulative GPA falls below a 2.0 must attend summer school or its graded equivalent. Students will no longer need to maintain a *cumulative* grade point average of 2.0 throughout grades 9 through 12 to be eligible; the student will need a 2.0 average in the semester preceding participation, but will not be required to maintain a cumulative 2.0 average until his or her junior and senior year. The committee substitute revises requirements for participation by home education students and removes a requirement that initial eligibility not be based on where or with whom the student lived or which school the student attended in the previous year.

There is no substantial fiscal impact associated with this bill.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Section 232.425, F.S., prescribes student standards for participation in interscholastic extracurricular student activities. To be eligible to participate, a student entering the 9th grade during the 1997-1998 school year and thereafter must maintain a *cumulative* GPA of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required for graduation. Students who entered the 9th grade prior to the 1997-1998 school year must maintain a *cumulative* GPA of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required for graduation, that are taken after July 1, 1997, or have an overall cumulative grade point average of 2.0 or above. Prior to 1997, participation was contingent on maintaining a 1.5 GPA and passing five subjects for the grading period immediately preceding participation; except that student eligibility for the first grading period of each new school year was based on passing five subjects and maintaining the required grade point average the previous school year, including subjects completed during the interim summer school session.

Section 232.425, F.S., was amended in 1996 by HB 2505, known as the "Craig Dickinson Act" (ch. 96-174, L.O.F.) to establish provisions for participation by home education students in interscholastic extracurricular activities at public and nonpublic schools.

Section 232.61, F.S., requires the Florida High School Activities Association (FHSAA) to adopt bylaws that, unless otherwise prescribed by statute, establish eligibility requirements for all students (in member schools) participating in high school athletics. The bylaws must allow a student to be eligible in the school in which he or she first enrolls each school year, or makes himself or herself eligible a candidate for an athletic team by engaging in a practice prior to enrolling in the member school. The student is eligible in that school as long as he or she remains enrolled in that school. Subsequent eligibility is determined and enforced via the bylaws. The statute specifically provides that eligibility determination cannot be based on where or with whom the student lived, or on which school the student attended, in the previous year. The bylaws must specifically prohibit recruiting and must prescribe penalties and an appeals process for recruiting violations.

B. EFFECT OF PROPOSED CHANGES:

The committee substitute revises student standards for participation in interscholastic extracurricular student activities. It clarifies that schools are not mandated to authorize participation by nonpublic school students. It revises the minimum GPA needed to maintain eligibility and establishes a contractual agreement for cases where a student's average falls below the minimum required GPA. At a minimum, the contract must specify that a student whose cumulative GPA falls below a 2.0 must attend summer school or its graded equivalent. Students will no longer need to maintain a *cumulative* grade point average of 2.0 throughout grades 9 through 12 to be eligible; the student will need a 2.0 average in the semester preceding participation, but will not be required to maintain a cumulative 2.0 average until his or her junior and senior year. The committee substitute revises requirements for participation by home education students and removes a requirement that initial eligibility not be based on where or with whom the student lived or which school the student attended in the previous year.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes, if a student's cumulative GPA falls below 2.0, the student, school district, athletic governing association, and student's parent or guardian must execute and fulfill the

requirements of an academic performance contract. At a minimum the contract must require that the student attend summer school or its graded equivalent.

- (3) any entitlement to a government service or benefit?

No.

- b. If an agency or program is eliminated or reduced:

An agency or program is not eliminated or reduced.

- (1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

- (2) what is the cost of such responsibility at the new level/agency?

N/A

- (3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

No.

- b. Does the bill require or authorize an increase in any fees?

No.

- c. Does the bill reduce total taxes, both rates and revenues?

No.

- d. Does the bill reduce total fees, both rates and revenues?

No.

- e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

The bill does not purport to provide services to families or children.

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

- (5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

No.

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

The bill does not create or change a program providing services to families or children.

- (1) parents and guardians?

N/A

- (2) service providers?

N/A

- (3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Sections 232.425 and 232.61, F.S., are amended.

E. SECTION-BY-SECTION ANALYSIS:

Section 1 revises student standards for participation in interscholastic extracurricular student activities. It clarifies that schools are not mandated to authorize participation by nonpublic school students. It revises the minimum GPA needed to maintain eligibility and establishes a contractual agreement for cases where a student's average falls below the minimum required GPA. At a minimum, the contract must specify that a student whose cumulative GPA falls below a 2.0 must attend summer school or its graded equivalent. Students will no longer need to maintain a *cumulative* grade point average of 2.0 throughout grades 9 through 12 to be eligible; the student will need a 2.0 average in the semester preceding participation, but will not be required to maintain a cumulative 2.0 average until his or her junior and senior year. It revises requirements for participation by home education students.

Section 2 removes a requirement that initial eligibility not be based on where or with whom the student lived or on which school the student attended in the previous year.

Section 3 specifies that the bill will be effective upon becoming a law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that counties or municipalities have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The committee substitute differs from the original bill in that the committee substitute requires a student to maintain a cumulative 2.0 GPA in both the junior and senior year. It also requires the contract for a student whose cumulative GPA falls below a 2.0 to include, at a minimum, a provision for attending summer school (or its graded equivalent).

VII. SIGNATURES:

COMMITTEE ON EDUCATION K-12:

Prepared by:

Staff Director:

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