

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 92

SPONSOR: Senator Sullivan

SUBJECT: High School Athletics

DATE: February 1, 2000

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>White</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This legislation revises student standards for participation in interscholastic extracurricular student activities. Specifically, the bill:

- Clarifies that public schools are not mandated to authorize participation by nonpublic school students, except home schooled students.
- Specifies that home schooled students are eligible only at the public school to which they would have been assigned by the district.
- Authorizes a student in the ninth or tenth grade to participate even if his or her grades fall beneath a grade point average of 2.0 cumulative, provided the student enters into a contract to raise grades.
- Requires the contract to include attending summer school.
- Requires the cumulative GPA of 2.0 for participation in the junior or senior year.
- Removes a requirement that eligibility determinations may not be based on where or with whom the student lived or on which school the student attended in the previous year.

This bill amends the following sections of the Florida Statutes: 232.245 and 232.61.

II. Present Situation:

Section 232.425, F.S., prescribes student standards for participation in interscholastic extracurricular student activities. Three issues related to these standards have accumulated more controversy than any others: Grades, student attempts to select programs, and school attempts to select students, or recruitment.

GRADES

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 that GPA only on courses that are taken after July 1, 1997, rather than inclusive of all previous grades.

Until 1997, the requirement was to maintain a 1.5 GPA and to pass five subjects in the previous grading period. An exception was made for the first grading period of each new school year (football season) -- eligibility for that period 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. That is, a student could play football if his cumulative grade point average was below 1.5, as long as his GPA in the previous year was 1.5 or above.

Staff of the association report anecdotal evidence of students becoming ineligible because of grades. Athletic directors reported that many students were ineligible in spring of 1999, even though they had earned good grades in fall of 1998.

STUDENT SELECTION OF PROGRAM

In HB 2505, the "Craig Dickinson Act," the 1996 Legislature amended section 232.425, F.S., to authorize participation by home education students in interscholastic extracurricular activities at public and nonpublic schools. The law is not clear as to whether a home education student can select any athletic program in the district, or whether the student should participate only at the school to which he or she would have been assigned under district policies.

Staff of the Florida High School Activities Association report that a county court found in favor of a private school student who wanted to play soccer on the team of a selected public school because her private school did not sponsor soccer. The public school denied her participation; she sued and won based on the requirement in s. 232.61, F.S., that a student is eligible for participation at a school if he or she engages in a practice prior to enrolling in any member school, and provisions in s. 232.425, F.S., that apply to home education students.

RECRUITMENT

Section 232.61, F.S., requires the Florida High School Activities Association 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 as 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 through 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. Also, the bylaws must specifically prohibit recruiting and must prescribe penalties and an appeals process for recruiting violations.

Staff of the association report that these two requirements have acted at cross purposes. It has been difficult to penalize districts for recruiting student athletes even when a school is providing housing for athletes whose parents live in another district or abroad. The provision also makes it difficult for school districts to enforce any residency requirements for school zones.

III. Effect of Proposed Changes:

Section 1 (Amends s. 232.245, F.S.)

- Clarifies that schools are not mandated to authorize participation by nonpublic school students. The law will continue to require schools to allow participation by home schooled students.
- Restricts home education students' participation to the public school to which they would have been assigned by the school district.
- Revises the minimum grade point average needed to maintain eligibility and establishes a contractual agreement for cases where a student's average falls below the minimum required 2.0 cumulative GPA. Instead of needing to maintain a cumulative grade point average of 2.0 throughout grades 9 through 12, the student will need a 2.0 average in the semester preceding participation. By the junior year and during the senior year, the cumulative GPA will need to be 2.0.
- For a student with less than a 2.0 cumulative GPA, The bill requires a contract to improve grades, including an agreement to attend summer school.
- Deletes an obsolete provision for students who entered the 9th grade in 1997-1998.

Section 2 (Amends s. 232.61, F.S.)

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

Section 3.

Effective date upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
