



Choice & Innovation Subcommittee

Tuesday, February 11, 2014

1:00 PM – 3:00 PM

306 HOB

Action Packet

Will Weatherford
Speaker

Michael Bileca
Chair

COMMITTEE MEETING REPORT
Choice & Innovation Subcommittee

2/11/2014 1:00:00PM

Location: 306 HOB

Summary:

Choice & Innovation Subcommittee

Tuesday February 11, 2014 01:00 pm

HB 377 Favorable

Yeas: 12 Nays: 0

HB 533 Favorable With Committee Substitute

Yeas: 12 Nays: 0

Amendment 625421 Adopted Without Objection

Committee meeting was reported out: Tuesday, February 11, 2014 2:48:22PM

COMMITTEE MEETING REPORT

Choice & Innovation Subcommittee

2/11/2014 1:00:00PM

Location: 306 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Michael Bileca (Chair)	X		
Larry Ahern	X		
Randolph Bracy	X		
Manny Diaz, Jr.	X		
Bill Hager	X		
Shevrin Jones	X		
Kionne McGhee	X		
Larry Metz	X		
George Moraitis, Jr.	X		
Kathleen Passidomo			X
Joe Saunders	X		
Ross Spano	X		
Charlie Stone	X		
Totals:	12	0	1

Committee meeting was reported out: Tuesday, February 11, 2014 2:48:22PM

COMMITTEE MEETING REPORT
Choice & Innovation Subcommittee

2/11/2014 1:00:00PM

Location: 306 HOB

HB 377 : Educational Facilities Financing

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Randolph Bracy	X				
Manny Diaz, Jr.	X				
Bill Hager	X				
Shevrin Jones	X				
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.	X				
Kathleen Passidomo			X		
Joe Saunders	X				
Ross Spano	X				
Charlie Stone	X				
Michael Bileca (Chair)	X				
Total Yeas: 12		Total Nays: 0			

Appearances:

HB 377

J. C. Del Valle, Assistant Vice President, Government Relations (Lobbyist) - Proponent
 University of Miami
 55 Merrick Way, Suite 520
 Coral Gables FL 33146

HB 377

Bob Boyd, General Council of ICUF (Lobbyist) - Proponent
 Independent Colleges & Universities of Florida
 660 East Jefferson Street
 Tallahassee FL 32301
 Phone: 850-412-0306

Committee meeting was reported out: Tuesday, February 11, 2014 2:48:22PM

COMMITTEE MEETING REPORT

Choice & Innovation Subcommittee

2/11/2014 1:00:00PM

Location: 306 HOB

HB 533 : Student Eligibility for Interscholastic Athletic Competition

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Randolph Bracy	X				
Manny Diaz, Jr.	X				
Bill Hager	X				
Shevrin Jones	X				
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.	X				
Kathleen Passidomo			X		
Joe Saunders	X				
Ross Spano	X				
Charlie Stone	X				
Michael Bileca (Chair)	X				
Total Yeas: 12		Total Nays: 0			

HB 533 Amendments

Amendment 625421

Adopted Without Objection

Appearances:

HB 533

Maruchi Mendez - Proponent
5080 SW 66th Avenue
Miami FL 33155
Phone: 305-607-0723

HB 533

Jess McCarty, Assistant County Attorney (Lobbyist) - Proponent
Miami-Dade County
111 NW 1st Street, Suite 2810
Miami FL 33128
Phone: 305-979-7110

HB 533

Juan Carlos Muniz, Pediatric Cardiologist - Proponent
Miami Children's Hospital
9815 SW 98th Street
Miami FL 33176
Phone: 305-981-6363

Committee meeting was reported out: Tuesday, February 11, 2014 2:48:22PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Choice & Innovation
 2 Subcommittee

3 Representative Saunders offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:
 7 Section 1. Subsection (11) of section 1002.33, Florida
 8 Statutes, is amended to read:

9 1002.33 Charter schools.—

10 (11) PARTICIPATION IN INTERSCHOLASTIC EXTRACURRICULAR
 11 ACTIVITIES.—A charter school student is eligible to participate
 12 in an ~~interseholastic~~ extracurricular ~~activities~~ activity at the
 13 ~~public school to which the student would be otherwise assigned~~
 14 ~~to attend~~ pursuant to s. 1006.15(3)(d).

15 Section 2. Paragraphs (a) and (b) of subsection (8) and
 16 subsections (2) and (3) of section 1006.15, Florida Statutes,
 17 are amended, and new subsection (9) is created to read:



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18 1006.15 Student standards for participation in
19 interscholastic and intrascholastic extracurricular student
20 activities; regulation.-

21 (2) ~~Interscholastic~~ Extracurricular ~~student~~ activities are
22 an important complement to the academic curriculum.
23 Participation in a comprehensive extracurricular and academic
24 program contributes to student development of the social and
25 intellectual skills necessary to become a well-rounded adult. As
26 used in this section, the term "extracurricular activity" means
27 any school-authorized or education-related activity occurring
28 during or outside the regular instructional school day,
29 including but not limited to interscholastic athletics regulated
30 by the Florida High School Athletic Association (FHSA);
31 intramural athletics; and fine or performing arts, speech and
32 debate, and other academic or social clubs, teams, or
33 activities.

34 (3)(a) To be eligible to participate in ~~interscholastic~~
35 extracurricular ~~student~~ activities, a student must:

36 1. Maintain a grade point average of 2.0 or above on a 4.0
37 scale, or its equivalent, in the previous semester or a
38 cumulative grade point average of 2.0 or above on a 4.0 scale,
39 or its equivalent, in the courses required by s. 1003.428 or s.
40 1003.4282, as applicable ~~1003.429.~~

41 2. Execute and fulfill the requirements of an academic
42 performance contract between the student, the district school
43 board, the appropriate governing association, and the student's



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44 parents, if the student's cumulative grade point average falls
45 below 2.0, or its equivalent, on a 4.0 scale in the courses
46 required by s. 1003.428 or s. 1003.4282, as applicable ~~1003.429~~.
47 At a minimum, the contract must require that the student attend
48 summer school, or its graded equivalent, between grades 9 and 10
49 or grades 10 and 11, as necessary.

50 3. Have a cumulative grade point average of 2.0 or above
51 on a 4.0 scale, or its equivalent, in the courses required by s.
52 1003.428 or s. 1003.4282, as applicable, ~~1003.429~~ during his or
53 her junior or senior year.

54 4. Maintain satisfactory conduct, including adherence to
55 appropriate dress and other codes of student conduct policies
56 described in s. 1006.07(2). If a student is convicted of, or is
57 found to have committed, a felony or a delinquent act that would
58 have been a felony if committed by an adult, regardless of
59 whether adjudication is withheld, the student's participation in
60 ~~interscholastic~~ extracurricular activities is contingent upon
61 established and published district school board policy.

62 (b) Any student who is exempt from attending a full school
63 day based on rules adopted by the district school board for
64 double session schools or programs, experimental schools, or
65 schools operating under emergency conditions must maintain the
66 grade point average required by this section and pass each class
67 for which he or she is enrolled.

68 (c) An individual home education student is eligible to
69 participate at any the public school in the school district in



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70 ~~which he or she resides to which the student would be assigned~~
71 ~~according to district school board attendance area policies or a~~
72 ~~public school in another school district~~ which the student could
73 choose to attend pursuant to ~~district or~~ interdistrict
74 controlled open enrollment policies provisions, or may develop
75 an agreement to participate at a private school, in the
76 ~~interscholastic~~ extracurricular activities of that school,
77 provided the following conditions are met:

78 1. The home education student must meet the requirements
79 of the home education program pursuant to s. 1002.41.

80 2. During the period of participation at a school, the
81 home education student must demonstrate educational progress ~~as~~
82 ~~required in paragraph (b)~~ in all subjects taken in the home
83 education program by a method of evaluation agreed upon by the
84 parent and the school principal which may include: review of the
85 student's work by a certified teacher chosen by the parent;
86 grades earned through correspondence; grades earned in courses
87 taken at a Florida College System institution, university, or
88 trade school; standardized test scores above the 35th
89 percentile; or any other method designated in s. 1002.41.

90 ~~3. The home education student must meet the same residency~~
91 ~~requirements as other students in the school at which he or she~~
92 ~~participates.~~

93 3.4. The home education student must meet the same
94 standards of acceptance, behavior, and performance as required
95 of other students in extracurricular activities.



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96 ~~4.5.~~ The student must register with the school his or her
97 intent to participate in ~~interscholastic~~ extracurricular
98 activities as a representative of the school before the
99 beginning date of the particular athletic season or other ~~for~~
100 ~~the~~ activity in which he or she wishes to participate. A home
101 education student must be able to participate in curricular
102 activities if that is a requirement for an extracurricular
103 activity.

104 ~~5.6.~~ A student who transfers from a home education program
105 to a public school before or during the first grading period of
106 the school year is academically eligible to participate in
107 ~~interscholastic~~ extracurricular activities during the first
108 grading period provided the student has a successful evaluation
109 from the previous school year, pursuant to subparagraph 2.

110 ~~6.7.~~ Any public school or private school student who has
111 been unable to maintain academic eligibility for participation
112 in ~~interscholastic~~ extracurricular activities is ineligible to
113 participate in such activities as a home education student until
114 the student has successfully completed one grading period in
115 home education pursuant to subparagraph 2. to become eligible to
116 participate as a home education student.

117 (d) An individual charter school student pursuant to s.
118 1002.33 is eligible to participate at any the public school in
119 the school district in which he or she resides ~~to which the~~
120 ~~student would be assigned according to district school board~~
121 ~~attendance area policies~~ or a public school in another school



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122 district which the student could choose to attend, pursuant to
123 ~~district or~~ interdistrict controlled open-enrollment policies
124 ~~provisions~~, in any interscholastic extracurricular activity of
125 that school, unless such activity is provided by the student's
126 charter school, if the following conditions are met:

127 1. The charter school student must meet the requirements
128 of the charter school education program as determined by the
129 charter school governing board.

130 2. During the period of participation at a school, the
131 charter school student must demonstrate educational progress as
132 required in paragraph (a) ~~(b)~~.

133 ~~3. The charter school student must meet the same residency~~
134 ~~requirements as other students in the school at which he or she~~
135 ~~participates.~~

136 ~~3.4.~~ The charter school student must meet the same
137 standards of acceptance, behavior, and performance that are
138 required of other students in extracurricular activities.

139 ~~4.5.~~ The charter school student must register with the
140 school his or her intent to participate in interscholastic
141 extracurricular activities as a representative of the school
142 before the beginning date of the particular athletic season or
143 other ~~for the~~ activity in which he or she wishes to participate.

144 A charter school student must be able to participate in
145 curricular activities if that is a requirement for an
146 extracurricular activity.



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147 ~~5.6.~~ A student who transfers from a charter school ~~program~~
148 to a traditional public school before or during the first
149 grading period of the school year is academically eligible to
150 participate in ~~interscholastic~~ extracurricular activities during
151 the first grading period if the student has a successful
152 evaluation from the previous school year, pursuant to
153 subparagraph 2.

154 ~~6.7.~~ Any public school or private school student who has
155 been unable to maintain academic eligibility for participation
156 in ~~interscholastic~~ extracurricular activities is ineligible to
157 participate in such activities as a charter school student until
158 the student has successfully completed one grading period in a
159 charter school pursuant to subparagraph 2. to become eligible to
160 participate as a charter school student.

161 (e) A student ~~of the Florida Virtual School~~ enrolled full-
162 time in a virtual instruction program pursuant to s. 1002.45, a
163 virtual charter school pursuant to s. 1002.33, or the Florida
164 Virtual School pursuant to s. 1002.37 may participate in any
165 ~~interscholastic~~ extracurricular activity at any the public
166 school in the school district in which he or she resides or to
167 ~~which the student would be assigned according to district school~~
168 ~~board attendance area policies or a public school in another~~
169 school district which the student could choose to attend,
170 pursuant to ~~district or~~ interdistrict controlled open enrollment
171 policies, if the student:



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172 1. During the period of participation in the
173 ~~interscholastic~~ extracurricular activity, meets the requirements
174 in paragraph (a).

175 ~~2. Meets any additional requirements as determined by the~~
176 ~~board of trustees of the Florida Virtual School.~~

177 ~~3. Meets the same residency requirements as other students~~
178 ~~in the school at which he or she participates.~~

179 ~~2.4.~~ Meets the same standards of acceptance, behavior, and
180 performance that are required of other students in
181 extracurricular activities.

182 ~~3.5.~~ Registers his or her intent to participate in
183 ~~interscholastic~~ extracurricular activities with the school
184 before the beginning date of the particular athletic season or
185 other ~~for the~~ activity in which he or she wishes to participate.
186 A ~~Florida Virtual School~~ student must be able to participate in
187 curricular activities if that is a requirement for an
188 extracurricular activity.

189 ~~4.(f)~~ A student who transfers from ~~the Florida Virtual~~
190 ~~School~~ a full-time virtual education program to a traditional
191 public school before or during the first grading period of the
192 school year is academically eligible to participate in
193 ~~interscholastic~~ extracurricular activities during the first
194 grading period if the student has a successful evaluation from
195 the previous school year pursuant to paragraph (a).

196 ~~5.(g)~~ A public school or private school student who has
197 been unable to maintain academic eligibility for participation



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198 in ~~interscholastic~~ extracurricular activities is ineligible to
199 participate in such activities as a full-time virtual education
200 ~~Florida Virtual School~~ student until the student successfully
201 completes one grading period in the virtual education program
202 ~~Florida Virtual School~~ pursuant to paragraph (a).

203 (f) A student who is enrolled in a public school that does
204 not offer a particular extracurricular activity may participate
205 in that activity at any public school in the school district in
206 which he or she resides or a public school in another school
207 district which the student could choose to attend pursuant to
208 interdistrict controlled open enrollment policies, if the
209 student:

210 1. During the period of participation in the
211 extracurricular activity, meets the requirements in paragraph
212 (a).

213 2. Meets the same standards of acceptance, behavior, and
214 performance that are required of other students in
215 extracurricular activities.

216 3. Registers his or her intent to participate in
217 extracurricular activities with the school before the beginning
218 date of the particular athletic season or activity in which he
219 or she wishes to participate.

220 (g) The parents of a student who participates in an
221 extracurricular activity under paragraphs (d), (e), or (f) are
222 responsible for transporting their child to and from the school
223 at which the student participates. The school the student



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224 attends, the school at which the student participates in the
225 extracurricular activity, the district school board, and the
226 FHSAA are exempt from civil liability arising from any injury
227 that occurs to the student during such transportation.

228 (8) (a) ~~The Florida High School Athletic Association~~
229 ~~(FHSAA)~~, in cooperation with each district school board, shall
230 facilitate a program in which a middle school or high school
231 student who attends a private school shall be eligible to
232 participate in ~~an~~ interscholastic or intramural athletics
233 ~~intrascholastic sport~~ at any a public high school, a public
234 middle school, or a 6-12 public school in the school district in
235 which he or she that is zoned for the physical address at which
236 the student resides or at a public school in another school
237 district which the student could choose to attend pursuant to
238 interdistrict controlled open enrollment policies if:

239 1. The private school in which the student is enrolled is
240 not a member of the FHSAA and does not offer the particular an
241 interscholastic or intramural intrascholastic athletic activity
242 in which the student seeks participation athletic program.

243 2. The private school student meets the guidelines for the
244 conduct of the program established by the FHSAA's board of
245 directors and the district school board. At a minimum, such
246 guidelines shall provide:

247 a. A deadline for each sport by which the private school
248 student's parents must register with the public school in



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249 writing their intent for their child to participate at that
250 school in the athletic activity ~~sport~~.

251 b. Requirements for a private school student to
252 participate, including, but not limited to, meeting the same
253 standards of eligibility, acceptance, behavior, educational
254 progress, and performance which apply to other students
255 participating in interscholastic or intramural ~~intrascholastic~~
256 athletic activities ~~sports~~ at a public school or FHSAA member
257 private school.

258 (b) The parents of a private school student participating
259 in a public school athletic activity ~~sport~~ under this subsection
260 are responsible for transporting their child to and from the
261 public school at which the student participates. The private
262 school the student attends, the public school at which the
263 student participates in an athletic activity ~~a sport~~, the
264 district school board, and the FHSAA are exempt from civil
265 liability arising from any injury that occurs to the student
266 during such transportation.

267 (9) District school board policies regarding eligibility
268 for extracurricular activities, including the eligibility of
269 transfer students, must evenly apply to all students regardless
270 of the extracurricular activity in which the student seeks to
271 participate.

272 Section 3. Paragraphs (a) and (c) of subsection (2) of section
273 1006.20, Florida Statutes, are amended to read:

274 1006.20 Athletics in public K-12 schools.-



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275 (2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—
276 (a) The FHSAA shall adopt bylaws that, unless specifically
277 provided by statute, establish eligibility requirements for all
278 students who participate in high school athletic competition in
279 its member schools. The bylaws governing residence and transfer
280 shall allow the student to be eligible in the school in which he
281 or she first enrolls each school year or the school in which the
282 student makes himself or herself a candidate for an athletic
283 team by engaging in a practice prior to enrolling in the school.
284 The bylaws shall also allow the student to be eligible in the
285 school to which the student has transferred during the school
286 year if the transfer is made by a deadline established by the
287 FHSAA, which may not be prior to the date authorized for the
288 beginning of practice for the sport. If date authorized for the
289 beginning of practice is prior to the first day of the grading
290 period in which the regular season games begin, the transfer
291 deadline may not be prior to the first day of such grading
292 period. These transfers shall be allowed pursuant to the
293 district school board policies in the case of transfer to a
294 public school or pursuant to the private school policies in the
295 case of transfer to a private school. The student shall be
296 eligible in that school so long as he or she remains enrolled in
297 that school. Subsequent eligibility shall be determined and
298 enforced through the FHSAA's bylaws. Requirements governing
299 eligibility and transfer between member schools shall be applied
300 similarly to public school students and private school students.



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301 (c) The FHSAA shall adopt bylaws that require all students
302 participating in interscholastic athletic competition or who are
303 candidates for an interscholastic athletic team to
304 satisfactorily pass a medical evaluation each year before ~~prior~~
305 ~~to~~ participating in interscholastic athletic competition or
306 engaging in any practice, tryout, workout, or other physical
307 activity associated with the student's candidacy for an
308 interscholastic athletic team. ~~Such medical evaluation may be~~
309 ~~administered only by~~ A practitioner licensed under chapter 458,
310 chapter 459, or chapter 460, ~~or~~ certified under s. 464.012, who
311 is and in good standing with his or her professional ~~the~~
312 ~~practitioner's~~ regulatory board, shall administer the medical
313 evaluation. The bylaws shall establish requirements for
314 eliciting a student's medical history and performing the medical
315 evaluation required under this paragraph, which shall include a
316 physical assessment of the student's physical capabilities to
317 participate in interscholastic athletic competition as contained
318 in a uniform preparticipation physical evaluation and history
319 form. The evaluation form shall incorporate the recommendations
320 of the American Heart Association for participation
321 cardiovascular screening and shall provide a place for the
322 signature of the practitioner performing the evaluation with an
323 attestation that each examination procedure listed on the form
324 was performed by the practitioner or by someone under the direct
325 supervision of the practitioner. The form shall also contain a
326 place for the practitioner to indicate if a referral to another



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327 practitioner was made in lieu of completion of a certain
 328 examination procedure. The form shall provide a place for the
 329 practitioner to whom the student was referred to complete the
 330 remaining sections and attest to that portion of the
 331 examination. The preparticipation physical evaluation form shall
 332 contain information that advises a student ~~advise students~~ to
 333 complete a cardiovascular assessment that includes an
 334 electrocardiogram. The preparticipation physical evaluation form
 335 ~~and~~ shall also include information concerning alternative
 336 cardiovascular evaluation and diagnostic tests. Results of such
 337 medical evaluation must be provided to the school. A ~~No~~ student
 338 is not ~~shall be~~ eligible to participate in any interscholastic
 339 athletic competition or engage in any practice, tryout, workout,
 340 or other physical activity associated with the student's
 341 candidacy for an interscholastic athletic team until the results
 342 of the medical evaluation have been received and approved by the
 343 school. The FHSAA shall make available to the parent of each
 344 student literature on the importance of a preparticipation
 345 cardiovascular assessment that includes an electrocardiogram.

346 Section 4. This act shall take effect July 1, 2014.

347
 348
 349 -----
 350 **T I T L E A M E N D M E N T**

351 Remove everything before the enacting clause and insert:



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352 | An act relating to student eligibility for
353 | extracurricular activities; amending s. 1002.33, F.S.;
354 | correcting a cross reference; conforming provisions;
355 | amending s. 1006.15, F.S.; revising the definition of
356 | extracurricular activities; revising provisions
357 | enabling home education, charter school, virtual
358 | education, and certain private school students to
359 | participate in extracurricular activities at a public
360 | school; authorizing students attending certain public
361 | schools to participate in extracurricular activities
362 | at another public school; requiring that district
363 | school board eligibility policies apply evenly to all
364 | students regardless of a student's extracurricular
365 | activity; amending s. 1006.20, F.S.; revising
366 | requirements for the bylaws of the Florida High School
367 | Athletic Association; revising a transfer deadline;
368 | requiring the bylaws to specify that the
369 | preparticipation physical evaluation form advise
370 | students to complete a cardiovascular assessment that
371 | includes an electrocardiogram; requiring the
372 | association to make available to parents literature on
373 | the importance of preparticipation cardiovascular
374 | assessment; providing an effective date.

375