



OFFICIAL NOTICE

*Proposals to Amend
FHSAA Bylaws
for consideration by the
FHSAA Representative Assembly
at its January 23-24, 2006, meeting*



FLORIDA HIGH SCHOOL ATHLETIC ASSOCIATION



FLORIDA HIGH SCHOOL ATHLETIC ASSOCIATION

Robert W. Hughes FHSAA Building
1801 NW 80th Boulevard
Gainesville, Florida 32606-9176
352/372-9551
fhsaa.org
December 2005

Official Notice Prepared by:
John A. Stewart, Ed.D., Commissioner
Jack E. Watford, Director of Communications

Distributed to official FHSAA representatives at all member schools, district superintendent delegates to Representative Assembly and district school board delegates to Representative Assembly.

FHSAA, FHSAA logo and FLORIDA HIGH SCHOOL ATHLETIC ASSOCIATION are protected marks of the Association and use in any manner is prohibited unless prior approval is obtained from the Association.

Official Notice

This Official Notice contains all proposals to amend FHSAA Bylaws for consideration by the FHSAA Representative Assembly at its January 23-24, 2006, meeting. This publication contains all proposals properly sponsored by member school representatives, advisory committees, the FHSAA Board of Directors and the Commissioner.

A total of 8 proposals have been submitted for consideration by the Representative Assembly. Four proposals have been submitted by one or more member school representatives. Two proposals have been submitted by the Board of Directors. The remaining two proposals have been submitted by the Commissioner. The proposals appear in order of citation. Each proposal is accompanied by the topical area of the proposal, intent of the proposal, the text of the proposal, the individual or group sponsoring the proposal, the effective date of the proposal if adopted, and the rationale for the proposal as stated by its sponsor. The FHSAA Office will review all proposals contained in the Official Notice, identify implications and ramifications of such proposals and provide its analysis to the Representative Assembly before a vote.

Table of Contents

Proposal No.	Topic	Page
2006-1	Governance – Board of Directors	4
2006-2	Interscholastic Contests – Season Limitations.....	4
2006-3	Eligibility – Attendance	5
2006-4	Eligibility – Attendance	6
2006-5	Eligibility – Academic Standing	6
2006-6	Eligibility – General Principles, General Definitions, Residence and Transfer	7
2006-7	Eligibility – Residence	17
2006-8	Eligibility – Age	18

PROPOSAL NO. 2006-1

Topic: Governance – Board of Directors.

Intent: To rename the office of Vice President to President-Elect; to establish qualifications for President-Elect; to establish a line of succession to the office of President.

Proposal: Amend Paragraph 4.1.3 and create sub-paragraphs 4.1.3.1, 4.1.3.2 and 4.1.3.3 to read:

“4.1.3 The officers of the Board of Directors shall be a President and a President-Elect ~~Vice President~~ who shall be elected by the Board of Directors from among its members. These officers shall also serve as officers of the Association with the Commissioner, who shall be the Association’s chief executive officer. The President shall preside over all meetings of the this Association and the Board of Directors, and perform other duties pertaining to the office. The President shall serve a term of one year beginning with his/her election, which shall take place during the final regularly scheduled meeting of the Board of Directors in the preceding school year. The Vice President shall act as President in the absence of the President or his/her incapacity to perform his/her duty. The Commissioner shall have no vote.

4.1.3.1 Nominations for the office of President-Elect shall be made from the floor. To be eligible for nomination as President-Elect a Board member must have not less than two years remaining in his/her current term of office, or have not less than one year remaining in his/her current term of office and be eligible for re-election or re-appointment to a second term of office, and should have served as chair of a standing committee of the Board of Directors. If, however, the Board member elected to the office of President-Elect has not served as chair of a standing committee of the Board of Directors, he/she shall be appointed by the President to serve

as chair of such a committee during his/her year in office as President-Elect. Election to the office of President-Elect shall require a majority of the ballots cast.

4.1.3.2 In the event the President is absent or unable to act, the President’s duties shall be performed by the President-Elect; and in the event of the death or resignation of the President, the President-Elect shall serve as President during the remainder of the term of office thus vacated and then shall serve as President for the term to which elected.

4.1.3.3 In the event of the death or disability of both the President and the President Elect, the Board of Directors shall hold a special election to elect an acting President to hold office until the next regularly scheduled final meeting of the Board of Directors for that school year.”

Sponsor: Board of Directors.

Effective Date: June 1, 2006.

Rationale: The precedent set by the Board of Directors in the past eight years, with two exceptions, is for the Vice President to be elected President for the following school year; in effect, making the Vice President a de facto President-Elect. This proposal will establish the past practice of the Board of Directors as rule and better ensure stability in the leadership of the Board of Directors.

PROPOSAL NO. 2006-2

Topic: Interscholastic Contests – Season Limitations

Intent: To repeal the “50-percent rule” governing interaction between coaches and their student-athletes during the off-season and direct the Board of Directors, instead, to establish guidelines governing such interaction.

Proposal: Amend Section 9.8 as follows:

“9.8 Season Limitations

9.8.1 The Board of Directors shall adopt ~~establish~~ the season limitations in each sport ~~in those sports~~ in which the this Association conducts a state championship series. These season limitations shall establish the earliest and latest permissible dates for interscholastic practice and interscholastic competition as well as the maximum number of regular season contests in each respective sport. The season limitations for girls and boys teams in a common sport length of the season in those sports in which both girls and boys compete shall be the same. A ~~No~~ member school shall not organize its teams for interscholastic practice or interscholastic competition participation in an interscholastic contest in a sport outside of the season limitations established by the Board of Directors for that sport in those sports.

9.8.2 The Board of Directors shall establish guidelines to govern the activities of and interaction between member school coaches and student-athletes during the off-season, which is defined as that period of time outside of the season limitations for a sport but during the school year. Coaches or prospective coaches of any member school are not allowed to have contact outside of the sports season but during the regular school year with any team of which the makeup is more than 50 percent of students from the school or feeder school which he/she represents.

Sponsor: Board of Directors

Effective Date: July 1, 2006.

Rationale: Discussion has been ongoing for a number of years regarding the effectiveness of the 50-percent rule and the policies governing off-season participation and open facilities programs. This year the Board of Directors authorized the Commissioner to put together an ad-hoc committee comprised of district and school athletic directors to review existing policies and propose any changes they deem necessary. The Board of Directors, at its

September meeting, was presented with and adopted comprehensive revisions to these policies and the creation of a new policy governing off-season conditioning. In order for these policies to be implemented, however, Section 9.8 must be amended to remove reference to the “50-percent rule.”

PROPOSAL NO. 2006-3

Topic: Eligibility – Attendance.

Intent: To reflect in the bylaws the provisions of s. 1006.15(3)(d), Florida Statutes, for participation in interscholastic athletics by an individual student attending a charter school that does not sponsor interscholastic athletics.

Proposal: Create new Paragraph 11.1.4 and sub-paragraphs 11.1.4.1, 11.1.4.2 and 11.1.4.3 to read:

“11.1.4 An individual student who attends a charter school that does not sponsor interscholastic athletics shall be eligible to participate at any one of the following member schools:

- (a) the public school to which the student would be assigned according to district school board attendance area policies; or
- (b) the public school the student could choose to attend pursuant to district or interdistrict controlled open enrollment provisions.

11.1.4.1 In order for the individual charter school student to participate at a member school, the following conditions must be met:

- (a) The student must meet the requirements of the charter school education program as determined by the charter school governing board;
- (b) The student must meet the minimum grade point average standards that are required of all students;
- (c) The student must meet the same residency requirements as other students in the school at

which he/she participates;

(d) The student must meet the same standards of acceptance, behavior and performance that are required of other students in interscholastic athletics; and

(e) The student must register with the school his/her intent to participate in interscholastic athletics as a representative of the school before the beginning date of the season for the sport in which he/she wishes to participate.

11.1.4.2 A student who transfers his/her attendance from a charter school program to a traditional public or private school before or during the first semester of a school year shall be academically eligible during the first semester provided the student meets the minimum grade point average standards that are required of all students through the completion of the previous school year.

11.1.4.3 A student who has been unable to maintain academic eligibility at any public school or private school shall not be academically eligible to participate as a charter school student until the student has completed one semester of attendance in the charter school and has satisfied the necessary minimum grade point average standards required of all students.”

Renumber existing paragraph 11.1.4 as subparagraph 11.1.3.1.

Sponsor: John A. Stewart, Commissioner.

Effective Date: July 1, 2006.

Rationale: These provisions are established in s. 1006.15(3)(d), Florida Statutes, and already exist as part of FHSAA policy. It, however, would be more appropriate for them to exist in Section 11.1 since they provide for an exception to paragraph 11.1.1.

PROPOSAL NO. 2006-4

Topic: Eligibility – Attendance.

Intent: To prohibit academy students from participating in high school sports.

Proposal: Create paragraph 11.1.6 to read:

“11.1.6 Full-time students at sports academies are ineligible to compete in high school athletic competition. Full-time students are defined as students in residence (boarding) at sports academies.”

Sponsor: Tom Roszell, Athletic Director, Riverdale (Fort Myers).

Effective Date: July 1, 2006.

Rationale: Sports academy schools are in business for the training of athletes for professional careers in the sport of their choice. They receive training in their chosen sport by trained professional teachers everyday. The program is comprehensive and includes sports medicine. With this type of training, these athletes have an unfair advantage in high school athletics. It is an unfair advantage.

PROPOSAL NO. 2006-5

Topic: Eligibility – Academic Standing.

Intent: To prohibit any student-athletes from being dismissed from school early to practice a sport.

Proposal: Create paragraph 11.2.15 to read:

“11.2.15 Member schools shall hold all athletic practices at the end of the school academic day. The academic day being defined as the Department of Education 300 minutes contact time with students. (Double session schools will practice at the designated time set forth by the district.)”

Sponsor: Tom Roszell, Athletic Director, Riverdale (Fort Myers).

Effective Date: July 1, 2006.

Rationale: Athletes allowed to leave school early, etc., are gaining an unfair advantage on other athletes who do not leave school early but practice at the end of the school day. This

would include schools which hold classes in the morning then break for sports practice then resume classes in the afternoon.

PROPOSAL NO. 2005-6

Topic: Eligibility – General Principles, General Definitions, Residence and Transfer.

Intent: To establish general principles and definitions governing eligibility; to establish the school in which a student first enrolls upon initial entry into the ninth grade as the student’s school of residence for the duration of his/her high school career; to require a student who transfers attendance to a different school without a change in address with his/her parents to be restricted to eligibility on the sub-varsity level in the new school for one calendar year; to provide exceptions; to provide a waiver process.

Proposal: This proposal consists of three sections as follows:

SECTION 1. Section 11.01, “General Principles,” is created to read:

“11.01 GENERAL PRINCIPLES

11.01.1 Participation a Privilege. Participation in interscholastic athletic programs by a student is a privilege, not a right. Students wishing to participate are required to adhere to the uniform minimum standards and maximum limitations set forth in state law, these bylaws and such policies and regulations that are adopted by the Board of Directors in its interpretation of said bylaws. School districts and/or individual member schools may adopt more stringent rules for the students under their direct supervision. No school district or individual member school may adopt any such rules that are less stringent than those of the Association.

11.01.2 Rationale for Eligibility Standards. Uniform standards and limitations governing eligibility are a necessary prerequisite to

participation in interscholastic athletics, because: (a) they protect the opportunities of qualified students to participate; (b) they ensure competitive equity among member schools; (c) they encourage academic achievement by student-athletes; and (d) they promote the health and well-being of student-athletes.”

SECTION 2. Section 11.02, “General Definitions,” is created to read:

“11.02 GENERAL DEFINITIONS

11.02.1 Eligibility. Eligibility means the privilege of participating in interscholastic athletics that is attained by complying with all minimum standards and maximum limitations for student-athletes, whether established by Florida Statutes, cooperatively determined by the member schools through the Association’s bylaws, adopted by the Board of Directors in the Association’s policies, adopted by a district school board for students in schools under its jurisdiction, or set by an individual member school for its own students.

11.02.1.1 Restricted Eligibility. Restricted eligibility means the privilege of participating in interscholastic athletics that is limited to some extent due to an individual’s failure to comply with one or more of the minimum standards and maximum limitations established for student-athletes.

11.02.1.2 Eligible. Eligible means having attained and continuing to retain eligibility. An eligible student-athlete is one who has attained and continues to retain eligibility whether restricted or not.

11.02.1.3 Ineligible. Ineligible means failing to attain or retain eligibility. An ineligible student-athlete is one who has failed to attain or retain any eligibility.

11.02.2 Enrollment. Enrollment means attendance by a student in a class period in a school during the regular school year or participation by the student in an athletic practice at the school, whichever first

occurs. The submission of an application or registration to attend a school or the acceptance for attendance at a school does not constitute enrollment in that school. Enrollment requires the physical presence of the student in a class period or at an athletic practice at the school. A student cannot be enrolled in more than one school at any time.

11.02.3 Residence. Residence means enrollment and attendance in a school by a student for one calendar year. A student is considered to have residence in the school in which he/she first enrolls upon beginning the ninth grade. If the student transfers attendance to a different school after establishing residence in a school, he/she must establish residence in the new school by attending that school for one calendar year.

11.02.4 Parent(s). Parent(s) means a student's biological parent(s), stepparent(s), adoptive parent(s), foster parent(s), legal guardian(s) as determined by a court of proper jurisdiction, or other adult(s) with whom the student has lived for not less than the previous one calendar year.

11.02.5 Calendar Year. A calendar year means 365 consecutive calendar days, except during a leap year when it means 366 consecutive calendar days.

11.02.6 School Year. A school year means the 180 school days comprising the fall and spring semesters. Summer school, unless otherwise specifically stated in these bylaws, is not considered part of the school year.

11.02.7 Semester. A semester means one half of a school year, which is approximately 18 weeks or 90 school days.

11.02.8 Grading Period. A grading period means one semester, regardless of class scheduling format (i.e., block, traditional, etc.) utilized.

11.02.9 School. School means any school in any state, territory or country.

11.02.10 Member School. Member school means a school that is a member of the Association.

11.02.11 Varsity. Varsity means the highest level of interscholastic athletic competition offered by a school.

11.02.11.1 Sub-varsity. Sub-varsity means any level of interscholastic athletic competition subordinate to varsity that is offered by a school. Sub-varsity includes but is not limited to B-team, junior varsity and freshman programs in 9-12 high schools, as well as middle school programs in K-12 and 6-12 high schools."

SECTION 3. Paragraph 11.2.6 is amended to read:

~~"11.2.6 A grading period is defined as one semester. A semester is defined as one half of a school year (approximately 18 weeks or 90 school days). This definition is applicable to all schools regardless of the type of class scheduling format (i.e., block, traditional, etc.) utilized."~~

Subsequent paragraphs are appropriately renumbered.

SECTION 4. Paragraph 11.2.9 is amended to read:

~~"11.2.9 A student transferring into a member school under extenuating circumstances which prohibit securing a transcript from the previous school or country shall be ineligible to represent that member school until he/she has been enrolled in and established grades for one FULL semester. The details of each situation must be reported in writing to the Commissioner for approval, including student's name, date of entry and inclusive dates of previous semester."~~

Subsequent paragraphs are appropriately renumbered.

SECTION 5. Section 11.3, "Residence," is amended to read:

“11.3 RESIDENCE

11.3.1 A student in grades 9 through 12 shall have residence and be eligible to represent in the school in which the student first enrolls each school year or makes himself or herself a candidate for an athletic team by engaging in a practice prior to enrolling in any member school upon beginning the ninth grade. The student shall be eligible in that school so long as he or she remains enrolled in that school and meets all other eligibility requirements.

11.3.1.1 Residence, for the purpose of applying the Association’s eligibility requirements, does not refer to the home of the student but rather to enrollment and attendance by the student for one calendar year in a school. A student automatically establishes residence for his/her four-year limit of high school eligibility in the school in which the student first enrolls upon beginning the ninth grade.

11.3.1.2 A student in grades 9 through 12 who after having established residence in a school transfers attendance to another school shall be considered a transfer student and shall be required to establish residence in the new school subject to the provisions of Section 11.4 of these bylaws.

11.3.2 A home education student who participates in interscholastic athletics pursuant to 11.3.1 shall have residence and be eligible to represent the school in which the home education student first registers to participate in interscholastic athletics upon beginning the ninth grade or at such time thereafter whenever registration to participate first occurs. The student referred to in 11.3.1 will remain eligible at that school even though a change of residence occurs so long as he/she remains enrolled in that school and meets all other eligibility requirements.

11.3.2.1 A student who after having established residence in a school ceases to attend that school and enters a home education program shall be eligible to represent only the school

in which he/she last had residence, provided the student was eligible to represent that school at the time he/she ceased attendance. The student referred to in 11.3.1 will remain eligible at that school even though a change of residence occurs so long as he/she remains enrolled in that school and meets all other eligibility requirements.

11.3.2.2 A home education student who after having established residence in a school discontinues home education and enrolls in a school other than the school in which he/she had residence shall be considered a transfer student and shall be required to establish residence in the new school subject to the provisions of Section 11.4. The student referred to in 11.3.1 will remain eligible at that school even though a change of residence occurs so long as he/she remains enrolled in that school and meets all other eligibility requirements.

11.3.3 A student who attends a charter school that does not sponsor an interscholastic athletics program and chooses to participate in interscholastic athletics at a different school pursuant to 11.4.1 shall have residence and be eligible to represent the school in which the student first registers to participate in interscholastic athletics upon beginning the ninth grade or at such time thereafter whenever registration to participate first occurs. A student who, after initially enrolling in, or engaging in an athletic practice at, any school during a school year, moves into a different school community with his/her parent(s) or other individual with whom he/she has lived continuously for a full calendar year and subsequently enrolls in a new school as a result of that move, shall be eligible the following week so far as residence is concerned. The student shall be eligible on the sixth day following his/her enrollment.

11.3.3.1 A student who after having established residence in a school ceases to attend that

school and enters a charter school that does not sponsor interscholastic athletics shall be eligible to represent only the school in which he/she last had residence, provided the student was eligible to represent that school at the time he/she ceased attendance. The student referred to in 11.3.1 will remain eligible at that school even though a change of residence occurs so long as he/she remains enrolled in that school and meets all other eligibility requirements.

11.3.3.2 A charter school student who after having established residence in a school ceases to attend the charter school and enrolls in a school other than the school in which he/she had residence shall be considered a transfer student and shall be required to establish residence in the new school subject to the provisions of Section 11.4. The student referred to in 11.3.1 will remain eligible at that school even though a change of residence occurs so long as he/she remains enrolled in that school and meets all other eligibility requirements.

11.3.4 A student who, after initially enrolling in, or engaging in an athletic practice at, any school during a school year, moves into a different school community with his/her parent(s) or other individual with whom he/she has not lived continuously for a full calendar year and enrolls in a new school as a result of that move, shall be ineligible so far as residence is concerned.

11.3.5 The fact that guardianship papers have been issued, placing a student under the control of a person or persons other than his/her parent(s), does not establish eligibility. Residence with and support by any individual or individuals for a period of one calendar year does establish the residence of that individual or individuals as the residence of a student.”

SECTION 6. Section 11.4, “Transfer,” is amended to read:

“11.4 TRANSFER

11.4.1 A student who having established residence in a school in grades 9 through 12 transfers attendance to another school shall be restricted to participation on the sub-varsity level until he/she has established residence in the new school by attending that school for one calendar year unless the transfer is in conjunction with a physical joint relocation of the student, his/her parent(s) and other individual(s) with whom he/she has been living to a new address that makes it necessary for the student to attend a different school. A student who initially enrolls in, or engages in an athletic practice at, one member school in a school year and transfers attendance to another member school during that same school year shall be considered to be a transfer student and therefore subject to the bylaws related to students who transfer from one school to another.

11.4.1.1 To be considered a physical joint relocation to a new address, the occupation of the new address by the student, his/her parent(s) and other individual(s) with whom he/she has been living must be full and complete indefinitely and make it their fixed and permanent home. The former address must be abandoned, that is vacant, sold, or rented to persons other than any member of the family, and may not be occupied for any purposes at any time by the student, his/her parent(s) or minor sibling(s). Before being deemed eligible by the principal of the school to which he/she transfers, the student and his/her parent(s) must attest in writing to the facts of the relocation and provide documentation that all personal belongings have been moved from the former address, mail is received at the new address, all utilities have been transferred to the new address, and driver’s license, voter registration and other forms of legal identification have been changed to the new address. At the time of registration, the school to which the student transfers shall inform in writing the student and his/her parent(s)

of the proof required for eligibility and that the school's administration may verify the full and complete relocation by conducting an inspection of the former address, the new address or both. Under no circumstances can a student and his/her parent(s) occupy more than one address for eligibility purposes.

11.4.1.2 References to "other individual(s) with whom the student has been living" includes minor siblings and, depending on the specific circumstances that assure a full and complete relocation for the student, may include adult siblings, step-siblings, aunts, uncles and grandparents and others who have been a family unit and not merely co-habitants of the same dwelling who have been and remain financially self-sufficient. For the purposes of achieving a full and complete change of address, a "member of the family" who remains at the "former address" shall not be the student's parent(s), sibling(s) under the age of 18 or other family member(s) who is not financially self-supporting. The only family member(s) who remain at the former address must be 18 years of age or older and financially self-supporting.

11.4.1.3 The need to attend a different school as the result of relocation to a new address must be based on one of the following conditions:

(a) The student is no longer permitted to attend his/her old school by the district school board because the new address is outside the school's attendance zone; or

(b) Public transportation from the student's new address to the old school is not provided and the student does not have a means of personal transportation.

11.4.1.4 Should the student transfer in conjunction with a physical joint relocation and then subsequently relocate to another address within one calendar year of that transfer, the student shall be restricted to participation on the sub-varsity level for the remainder of that one calendar year period in the school to which

he/she originally transferred, and for one full calendar year in any other school to which he/she transfers as a result of the subsequent relocation.

11.4.2 The Commissioner may waive the provisions of Bylaw 11.4.1 for the benefit of a transfer student when application for such a waiver is made by the principal of the member school to which the student transfers if it is demonstrated to the satisfaction of the Commissioner that the circumstances surrounding the transfer meets one or more of the following exceptions: A student who enrolls in a member school following his/her initial enrollment in, or engagement in an athletic practice at, another school for that school year shall be ineligible to represent the new school he/she is attending for the duration of the school year. This rule shall not apply if the change of attendance from one school to another is accompanied by a corresponding change in residence on the part of the student's parent(s) or other individual with whom the student has lived continuously for a full calendar year, which makes it necessary for him/her to attend a different school.

(a) The school to which the student transfers is one to which the student had applied upon initial entry into the ninth grade but was denied admission because the school or special program offered at the school was at capacity, and to which the student has now been accepted due to a vacancy in the school or that same special program offered at the school, provided the student enrolls in the school or special program at the first opportunity.

(b) The school to which the student transfers offers a magnet or other special program that commences in a grade higher than the ninth grade, provided the student applies for, is accepted to and enrolls in the program at the first opportunity.

(c) The school in which the student was enrolled is categorized as a failing school

by the Florida Department of Education, provided the school was not categorized as a failing school at the time of the student's enrollment, the transfer is to a school that is not categorized as a failing school, and the transfer occurs at the first opportunity.

(d) The transfer is at the initiative and order of the district school board for other than athletic or disciplinary reasons, and was not the result of a request by the student or his/her parent(s). In such cases the student may enroll in the public school to which he/she has been assigned by the district school board or in another public or nonpublic school.

(e) The student undergoes a necessary relocation from the home of his/her parent(s) at one address to the home of another individual(s) at a different address that makes it necessary for the student to attend a different school. "A necessary relocation" means that the conditions that cause the relocation are beyond the control of the student and/or his/her parent(s); work an unjust, unfair and unforeseeable hardship upon the student; and are such that none of the parties involved could reasonably have been expected to comply with the provisions of Bylaw 11.4.1.

(f) The student following his/her emancipation by marriage, court order or reaching the age of majority establishes a separate household at a different address that makes it necessary for the student to attend a different school. The student must show proof that he/she has established his/her own household and is not receiving financial support from anyone other than himself/herself. If under the age of 18, the student also must provide a copy of the emancipation order issued by the court.

(g) The student is a ward of the court or state and is required to relocate to a new address that makes it necessary for the student to attend a different school. A certified copy of the court order, together with a copy of the petition upon which the order was based and other evidence

the court had to consider in issuing that order must be provided. Temporary guardianship that is granted without approval of a court does not fulfill this requirement.

(h) The student who attends a private school, because of a financial hardship beyond the control of the family, is no longer able to afford the tuition and must transfer his/her attendance to a different school. The student or his/her family must provide proof that the change in the family's financial status has occurred since the student's enrollment in the private school and is significant enough to clearly demonstrate that the tuition cost of the school is no longer affordable. The student or his/her family further must provide proof that they have applied for and been denied financial assistance or show good cause as to why they did not apply for such assistance. Tuition increases in and of themselves are not considered a financial hardship.

(i) The home education cooperative in which the home-educated student participated is dissolved and the home education student registers to participate at another home education cooperative or school.

(j) The principals of both the student's old and new schools, provided both schools are members of the Association, certify that the transfer in their opinion is in the best educational interest of the student, is not motivated by reasons relating to athletic participation or disciplinary action, and is not the result of recruitment.

11.4.3 An application for waiver of Bylaw 11.4.1 shall be made on a form provided for this purpose by the Commissioner. The form must be initiated and signed by the principal of the member school to which the student transfers, must indicate the exception(s) under which the waiver is being requested, must describe the circumstances surrounding the transfer, must be signed by the principal of the school last attended by the student, and must be submitted

along with any supporting documentation to the Commissioner for his/her approval. A waiver is not granted until the form, fully executed by the principals of both schools, is reviewed and approved in writing by the Commissioner, and is on file in the office of the member school to which the student transfers. The provisions of Article 11.4.2 may be waived if the benefit of athletic eligibility is requested in writing by the principal of the school to which he/she transfers and the principal of the school from which he/she transfers consents to such waiver in writing on a form to be furnished by the Commissioner. To be effective as a waiver of the provisions of Article 11.4.2, the properly executed original form must be filed in the office of this Association together with the annual eligibility report for the requesting school. Such waiver is not effective until both the annual eligibility report and the original application for waiver of the transfer rule are received in the office of this Association. A principal should consider not approving an application for waiver of the transfer rule when he/she has evidence that reasonably leads him/her to believe that:

- (A) the student is being recruited;
- (B) the student is transferring in whole or in part for athletic reasons; or
- (C) the student is transferring because of disciplinary reasons and/or misconduct.

HOWEVER, a student who transfers to a member school without a corresponding change of residence on the part of the student's parent(s) or other individual with whom the student has lived continuously for a full calendar year, which makes it necessary for him/her to attend a different school, on or after the beginning of any sports season (first day of practice) shall not be eligible to compete in that sport for the duration of that school year.

11.4.3.1 A principal should not consent to an application for waiver of Bylaw 11.4.1 when

he/she has evidence that reasonably leads him/her to believe that the student's transfer is motivated by reasons relating to athletic participation or disciplinary action, or is the result of recruitment. A transfer "motivated by reasons relating to athletic participation" is defined as, but not limited to:

(a) The student or his/her parent(s) is dissatisfied with the student's position on the team or the amount of playing time that he/she receives;

(b) The student or his/her parent(s) is dissatisfied with a coach at either a personal or professional level;

(c) The student or his/her parent(s) seeks relief from conflict with the philosophy or action of an administrator, teacher or coach relating to sports;

(d) The student or his/her parent(s) seeks to avoid punitive action by the student's old school relating to athletic eligibility;

(e) The student follows his/her coach to another school to which the coach has relocated during the preceding one calendar year;

(f) The student seeks to participate with teammates or coaches with whom he/she has participated in non-school competition during the preceding one calendar year;

(g) The student or his/her parent(s) desires that the student play on a less successful or lower profile team in order to be ranked higher among the players on that team; or

(h) The student or his/her parent(s) desires that the student play on a more successful or higher profile team to gain a higher level of competition and/or more exposure to college or professional scouts.

11.4.3.2 Eligibility is not determined nor is the Commissioner bound by the action taken by either or both principals signing the application for waiver. The Commissioner instead shall have the discretion to investigate

the accuracy of the application and to approve or deny the waiver based solely on the findings of his/her investigation.

11.4.4 The Commissioner may grant a waiver of Bylaw 11.4.1 for the benefit of a student only one time during that student's four-year limit of eligibility and then only when the facts are clear, undisputed and supported by appropriate documentation. The Commissioner shall have broad discretion in applying the conditions of the exceptions under which he/she may grant a waiver to specific cases. The Commissioner may take into consideration not only the needs of the student involved, but also the best interests of all students in all member schools and the total interscholastic athletic program in general as he/she understands those interests. Should the Commissioner deny an application for waiver, the school making the application upon request of the student may appeal the decision of the Commissioner or request an undue hardship hearing in accordance with the provisions of Article 13 of these bylaws. A student who has participated as a member of a senior high school in interscholastic athletic competition during a school year prior to his/her application for membership in a home education cooperative shall be ineligible to represent that cooperative in interscholastic athletic competition for the duration of that school year unless a properly executed "Application for Waiver of the Transfer Rule" is obtained from the principal of the senior high school, and vice versa. A student who withdraws from a regular school program to enroll in a home education program and who is ineligible at the time of withdrawal from the regular school program due to his/her failure to meet academic or behavioral eligibility standards shall be ineligible to compete in interscholastic athletic competition as a home education student until he/she has successfully completed one semester in home education.

11.4.5 A student in grades 9 through 12 who

after having established residence in a school transfers attendance to a recognized member boarding school shall be considered a transfer student and shall be required to establish residence in the boarding school subject to the provisions of Paragraph 11.4.1 of these bylaws. If a student who has transferred from one school to another after his/her initial enrollment in a member school for that school year without a corresponding change of residence which made it necessary for him/her to change schools and has secured an application for waiver of the transfer rule then elects to transfer to a third school without a corresponding change of residence which would make it necessary for him/her to change schools during that same school year, it will be necessary for him/her to secure applications for waiver of the transfer rule from all schools previously attended within that school year.

11.4.6 A foreign exchange student who attends a member school under the auspices of a foreign exchange program approved by the Board of Directors is a transfer student and shall be restricted to participation on the sub-varsity level for a maximum period of one calendar year commencing with the date of the student's first enrollment in any U.S. school. A student who transfers from a non-member school to a member school without a corresponding change of residence shall not be eligible to compete during a sports season unless his/her transfer occurred prior to the first day of practice for that sport.

11.4.7 A transfer student shall become eligible to represent his/her new school on the sixth day following the date of his/her enrollment in that school, provided the principal of the school has received an official written transcript from the school from which the student transferred and has verified that the student meets all eligibility requirements. A transfer student may represent the school to which he/she transfers on the sixth day

~~following the date of his/her entry into that school, provided his/her transfer record has been received by the principal of the school to which he/she has transferred and provided he/she meets all eligibility requirements. A transfer record is an official written transcript signed by the principal or his/her authorized representative of the school from which the student transferred.~~

11.4.7.1 A transfer student for whom an official written transcript cannot be obtained shall not be eligible until he/she has attended his/her new school for one full semester, established a grade point average that satisfies the academic requirements of Section 11.2, and been submitted to the Commissioner for approval. The principal of the school in seeking approval of the student's eligibility from the Commissioner shall document the student's name, his/her date of enrollment, the inclusive dates of the previous semester, and shall provide an explanation as to why an official written transcript could not be obtained.

11.4.7.2 The principal of a member school shall verify the eligibility of a student who has transferred to another member school when requested to do so by the principal of that school.

11.4.8 The Board of Directors shall establish in its terms and conditions for each state championship series a date after which a transfer student shall not be eligible to represent the school to which he/she transfers in state championship series competition. This date shall be not earlier than two Saturdays prior to the week containing the initial level of competition in the state championship series. The principal of a member school shall verify the eligibility status of a student who has transferred to another member school when requested to do so by the principal of the receiving school.

11.4.9 An ineligible student shall not become

eligible as a result of a transfer. A transfer student who at the time of transfer has been declared ineligible for a period of time in his/her previous school by the administration of that school, the district school board that oversees that school, this Association or another governing association of which the previous school is a member shall not be eligible in his/her new school until that same period of time has expired. A student who represents a school in a state championship series sponsored by this Association in a sport during the current school year may not transfer to another school and represent the school to which he/she transfers in the remainder of the state championship series in that sport.

~~11.4.10 A student who is ineligible, at the time of transfer from one school to another school, because of disciplinary action or because of unsatisfactory conduct, shall not be considered for eligibility at the school to which he/she transfers until he/she has been enrolled in that school for a full semester. Enrolling in a new school at the beginning of the school year does not decrease or eliminate the period of ineligibility.~~

~~11.4.11 A student who transfers to a member school from a school in another state or country who has been declared ineligible to participate in interscholastic athletics by the school from which he/she is transferring or by a governing association of which that school is a member shall not be eligible to participate at the member school until he/she has been enrolled in that school for a full semester.~~

~~11.4.12 Participation by a student in non-school athletics (i.e. AAU, American Legion, club settings, etc.) on a team that is affiliated with any school other than the school which the student attends, or attended the prior year, followed by enrollment by that student in the affiliated school shall be considered prima facie evidence of recruiting by the school to which that student enrolled, or that the~~

~~student enrolled in that school in whole or in part for athletic reasons. Unless this prima facie evidence of recruiting or that the student enrolled in the new school in whole or in part for athletic reasons is disproved by the school and student to the satisfaction of the Commissioner, the student shall be ineligible to represent that school in interscholastic athletic competition for a period of 365 consecutive days from the date of his/her enrollment in that school. A team affiliated with the school is one that is organized by and/or coached by any member of the coaching staff at, or any other person affiliated with, that school; and/or on which the majority of the members of the team (participants in practice and/or competition) are students who attend that school.~~

~~11.4.13 A student who transfers to a new school within one calendar year of the relocation of his/her coach to that school without a corresponding change in residence shall be considered to have transferred for athletic reasons and shall not be eligible to participate in the sport(s) coached by that coach for one calendar year from the date of enrollment in the new school.~~

~~11.4.14 A student who marries and sets up residence in a different school community may represent the school which serves that community, provided the change in residence is immediate and he/she meets all eligibility requirements.~~

~~11.4.15 The assignment or reassignment of a student by the District School Board to a school other than that school in which he/she initially enrolled or at which he/she engaged in an athletic practice for that school year shall not bestow upon the student athletic eligibility in the new school unless benefit of eligibility is requested upon a form to be furnished by the Commissioner. This form must bear the signature of the District School Board Chairman, the District School Superintendent or the signature of the principal of the school~~

~~from which the student transferred, and the principal of the school to which the student transferred. To be effective as a waiver of these provisions, the properly executed original form must be filed in the office of this Association together with the annual eligibility report for the requesting school. Such waiver is not effective until both the annual eligibility report and the original application for waiver of the transfer rule are received in the office of this Association. A student who transfers to a member school without a corresponding change of residence on or after the beginning of any sports season (first day of practice) shall not be eligible to compete in that sport for the duration of that school year.~~

~~11.4.16 Majority to minority assignments duly made by the District School Board shall not become effective until eligibility is requested on a form to be furnished by the Commissioner. The principal of the sending school should grant the waiver after investigating and determining that the student's transfer is from his/her racial majority to his/her racial minority school.~~

~~11.4.17 A student who is assigned to or otherwise enrolls in an out of district public school, or a nonpublic school, may be assigned to or enroll in the public school which serves his/her district without loss of eligibility, due to the transfer, provided he/she meets all other eligibility requirements. A student who transfers to a member school without a corresponding change of residence on or after the beginning of any sports season (first day of practice) shall not be eligible to compete in that sport for the duration of that school year.~~

~~11.4.18 If the District School Board changes the school to which a student is assigned to attend, the student shall be declared eligible by the principal of the school to which he/she has been transferred, provided he/she meets all other eligibility requirements and his/her name has been submitted on an annual eligibility~~

report.

~~11.4.19 A student who transfers his/her residence from that of his/her parent(s) or other individual with whom the student has lived continuously for a full calendar year, to the home of another individual who resides in a different school community because of a court order committing one or both of those with whom he/she has been living to a correctional or state medical institution shall be eligible to represent the school in which he/she first enrolls or at which he/she engages in an athletic practice following the change in residence. The residence and transfer regulations do not apply to a student who returns to his/her home after honorable discharge from a state correctional institution or to a student who returns to his/her home after serving as a page in the Congress or the State Legislature.~~

~~11.4.20 A student who transfers his/her residence from that of his/her parent(s) or other individual with whom the student has lived continuously for a full calendar year to the home of another individual who resides in a different school community because of the death of one or both of his/her parents or other individual shall be eligible to represent the school in which he/she first enrolls or at which he/she engages in an athletic practice following the change in residence.~~

~~11.4.21 In the event that a student becomes a ward of the State of Florida and is placed in a foster home, the student will be eligible so far as residence is concerned so long as he/she is enrolled in that school. Any subsequent transfer of residence that requires a change of schools shall render the student ineligible.~~

Sponsor: John A. Stewart, Ed.D.,
Commissioner.

Effective Date: July 1, 2006.

Rationale: The current residence and transfer rules do not ensure competitive equity among

member schools or between individual student-athletes. Some student-athletes are using the permissive nature of the current rules to effect transfers wholly for athletic reasons. Some schools are taking advantage of these rules to entice prospective student-athletes to transfer to their program. Other third-party entities are availing themselves of the openness of the current rules to place into FHSAA member schools from other countries prospective future collegiate student-athletes.

PROPOSAL NO. 2005-7

Topic: Eligibility – Residence.

Intent: To prevent home education students from bouncing around to the best possible team year in and year out and to offer consistency in personnel to coaches and schools for their expectations of their teams and their opponents. Furthermore, it limits recruiting possibilities.

Proposal: Create sub-paragraph 11.3.1.1 to read:

“Home education students may not change schools from which they have participated in athletics the previous school year as a home education student without a corresponding change in residence. If the student did not participate in athletics the previous year, they are free to join any willing member school to participate in athletics.”

Sponsor: Jim Harwood, Athletic Director,
Lake Worth Christian (Boynton Beach).

Effective Date: July 1, 2006.

Rationale: I have witnessed a fall soccer player bounce around schools to the best teams. He participated for us last year when our team made it to the state tournament. As we lost a lot of our best players he left us and went to Grandview Prep, which was set up to have a very good season. I do not believe the FHSAA or its members would like to see

these home school students be able to pick and choose the best possible team to play for and just go there without any problem and leave their previous school without consequence. The current allowances of home school athletes does not seem to be in the best interest of the FHSAA or its members.

PROPOSAL NO. 2005-8

Topic: Eligibility – Age.

Intent: To give a student who has competed throughout the season the opportunity to complete that season when his/her age reaches 19 years 9 months during the state championship series.

Proposal: Create sub-paragraph 11.6.1.1 to read:

“Any student reaching 19 years 9 months during the state championship series of any given sport shall be permitted to compete until the conclusion of that state championship series provided the student meets all other eligibility requirements as set forth in these bylaws.”

Sponsor: Michael Colby, Athletic Director, Hialeah-Miami Lakes.

Effective Date: July 1, 2006.

Rationale: The reason for this proposed amendment is to allow a student who has represented his/her school throughout the regular season to continue to represent that school throughout the state championship series so as not to adversely effect the opportunity of that school to fairly compete in the state championship series and thus allowing a school to compete with the same personnel as competed during the regular season.



FLORIDA HIGH SCHOOL ATHLETIC ASSOCIATION

Robert W. Hughes FHSAA Building
1801 NW 80th Boulevard
Gainesville, Florida 32606-9176
352/372-9551
fhsaa.org