

March 12, 2003

## **M E M O R A N D U M**

**TO:** FHSAA Representative at Each Member School

**FROM:** Robert W. Hughes, Commissioner  
Jack E. Watford, Director of Communications

**RE:** Proposals to Amend FHSAA Bylaws

Attached you will find 12 proposals to amend the Bylaws of the Florida High School Activities Association that will be considered by the 2003 FHSAA Representative Assembly at its April 14-15 meeting at the FHSAA headquarters in Gainesville.

Member schools are sponsoring seven of the 12 proposals. Commissioner Hughes is sponsoring the remaining five proposals. There are four separate proposals (3, 4, 5 & 6) to amend provisions of Article 9.7.1. There are two separate proposals (7 & 8) to amend Article 11.4.12. The text of the proposals also is available on the FHSAA web site ([www.fhsaa.org](http://www.fhsaa.org)). A rationale as provided by the sponsor and a staff analysis of each proposal will be posted on the web site at a later date.

You are encouraged to review each of these proposals with the appropriate personnel in your school. You should direct any comments relative to your school's support of, or opposition to, any proposal to the delegate to the Assembly who represents your Legislative Division.

Otherwise, questions relative to the proposals and/or the 2003 FHSAA Representative Assembly meeting should be directed to Jack Watford by e-mail at "[jwatford@fhsaa.org](mailto:jwatford@fhsaa.org)" or by phone at ext. 170.

# # #

1 PROPOSAL NO. 1 1

2 Sponsor: Robert W. Hughes, Commissioner 2

3  
4 A proposal to be entitled 4

5 An act relating to elections of member school representa- 5  
6 tives to the Association Board of Directors, Representative Assem- 6  
7 bly and Sectional Appeals Committees; amending Article 5.1.1; 7  
8 requiring declarations of candidacy to be filed and balloting to be 8  
9 conducted electronically rather than on paper in Association elec- 9  
10 tions; providing an effective date. 10  
11

12 Be It Enacted by the Representative Assembly of the Florida High School Activities As- 12  
13 sociation: 13  
14

15 Section 1. Article 5.1.1 is amended to read: 15

16 “5.1.1 The election of member school representatives to the Board of Directors, 16  
17 Representative Assembly and Sectional Appeals Committees shall be according to the following 17  
18 procedure: 18

19 (A) No later than February 1 each year, the Commissioner shall notify electronically 19  
20 ~~mail to~~ the representative of each member school in each administrative section and/or legisla- 20  
21 tive division in which a member of the Board of Directors, Representative Assembly and/or 21  
22 Sectional Appeals Committee is to be elected, ~~a letter of the positions for which elections are to~~ 22  
23 be held and shall provide online a form requesting candidates for the position(s) seat(s) available. 23  
24 A member school representative who wishes to declare his/her candidacy for one or more of the 24  
25 available positions ~~either a seat on the Board of Directors or the Sectional Appeals Committee~~ 25  
26 shall make such declaration for candidacy electronically using the online form in writing to the 26

1 Commissioner so that it is received in the office of the Association by February 10 15. 1

2 (B) The Commissioner shall provide online on or before April 1 ~~mail an official bal-~~ 2  
3 ~~lot~~ to the representative of each member school in each administrative section and/or legislative 3  
4 division an official ballot, which ~~on or before April 1~~. The official ballot shall contain for each 4  
5 position available the names of all announced candidates, ~~and a line for a write-in candidate and~~ 5  
6 ~~shall be returnable to the office of this Association on or before April 10~~. ~~The~~ Each representa- 6  
7 tive of each a member school shall vote electronically for one candidate in each position on the 7  
8 official online ballot by April 10, ~~which shall bear his/her signature and the name of the school~~ 8  
9 ~~which he/she represents~~. The candidate receiving a majority of the votes cast shall be declared by 9  
10 the Commissioner to have been elected. 10

11 (C) If no candidate receives a majority of the votes cast on the first official ballot, 11  
12 a second official ballot shall be provided online distributed, bearing the names of the two can- 12  
13 didates who received the highest number of votes on the first official ballot and a second vote 13  
14 shall be taken on them only. Ten days shall be allowed for member school representatives to vote 14  
15 electronically on ~~between the mailing of the second official online ballot and the return of the~~ 15  
16 ~~ballot to the office of this Association~~. The candidate receiving the majority of the votes cast on 16  
17 the second ballot shall be declared by the Commissioner to have been elected. However, in the 17  
18 event of a tie vote on the second ballot, the Board of Directors, by majority vote, shall determine 18  
19 the winner.” 19

20 Section 2. Article 5.1.2 is repealed. 20

21 ~~“5.1.2 The procedure for election of member school representatives to the Representa-~~ 21  
22 ~~tive Assembly shall be established by the Board of Directors.”~~ 22

23 Section 3. Article 5.1.3 is renumbered 5.1.2. 23

24 Section 4. This proposal shall take effect July 1, 2003. 24  
25  
26

1 PROPOSAL NO. 2 1

2 Sponsored by Robert W. Hughes, Commissioner 2

3  
4 A proposal to be entitled 4

5 An act relating to vacancies on the Association Board of 5  
6 Directors, Representative Assembly and Sectional Appeals Com- 6  
7 mittees; amending Article 5.2; stipulating that the Board of Direc- 7  
8 tors' appointment to fill a vacant seat shall be for the duration of 8  
9 the unexpired term rather than until the next regularly scheduled 9  
10 election of the Association; providing an effective date. 10  
11

12 Be It Enacted by the Representative Assembly of the Florida High School Activities As- 12  
13 sociation: 13  
14

15 Section 1. Article 5.2 is amended to read: 15

16 "5.2 Vacancies ~~Vacancy on the Board of Directors~~ 16

17 5.2.1 In the event a vacancy occurs in any seat on the Board of Directors, Representa- 17  
18 tive Assembly or Sectional Appeals Committees that is held by an elected member school rep- 18  
19 resentative, the Board of Directors shall appoint a qualified individual from the representative 19  
20 group to fill the vacant seat for ~~until the next regularly scheduled election of this Association at~~ 20  
21 ~~which time an individual will be elected to serve~~ the duration of the unexpired term. 21

22 5.2.2 In the event a vacancy occurs in any seat on the Board of Directors which is held 22  
23 by a district school superintendent or district school board member, the Florida Association of 23  
24 District School Superintendents or the Florida School Boards Association, respectively, shall be 24  
25 responsible for promptly filling the vacant office for the duration of the unexpired term. 25

26 5.2.3 If a vacancy occurs in the Office of President or Vice President of the Board of 26

1 Directors ~~this Association~~, the Board of Directors shall elect a successor from among its mem- 1  
2 bers to serve the remainder of the unexpired term. 2

3 ~~5.3~~ ~~—~~ ~~Vacancy on the Representative Assembly~~ 3

4 ~~5.3.1~~ ~~In the event a vacancy occurs in any seat on the Representative Assembly, the~~ 4  
5 ~~Board of Directors shall appoint a qualified individual from the representative group to fill the~~ 5  
6 ~~vacant seat until the next regularly scheduled election of this Association at which time an indi-~~ 6  
7 ~~vidual will be elected to serve the duration of the unexpired term.~~ 7

8 ~~5.4~~ ~~—~~ ~~Vacancy on the Sectional Appeals Committees~~ 8

9 ~~5.4.1~~ ~~In the event a vacancy occurs in any seat on a Sectional Appeals Committee, the~~ 9  
10 ~~Board of Directors shall appoint a qualified individual from the representative group to fill the~~ 10  
11 ~~vacant seat until the next regularly scheduled election of this Association at which time an indi-~~ 11  
12 ~~vidual will be elected to serve the duration of the unexpired term.~~ 12

13 ~~5.2.4~~ ~~5.4.2~~ If a vacancy occurs in the Office of Chairperson or Vice Chairperson of a 13  
14 Sectional Appeals Committee, the respective Committee shall elect a successor from among its 14  
15 members to serve the remainder of the unexpired term.” 15

16 Section 2. This proposal shall take effect July 1, 2003. 16  
17 17  
18 18  
19 19  
20 20  
21 21  
22 22  
23 23  
24 24  
25 25  
26 26

1 PROPOSAL NO. 3 1

2 Sponsored by Robert W. Hughes, Commissioner 2

3  
4 A proposal to be entitled 4

5 An act relating to school eligibility for participation in the 5  
6 state championship series; amending Article 9.7.1; requiring eligi- 6  
7 ble schools to sponsor a varsity program in a minimum of four (4) 7  
8 sanctioned sports, at least two (2) of which must be team sports, 8  
9 rather than two (2) sanctioned sports per sports season; providing 9  
10 an effective date. 10  
11 11

12 Be It Enacted by the Representative Assembly of the Florida High School Activities As- 12  
13 sociation: 13  
14 14

15 Section 1. Article 9.7.1 is amended to read: 15

16 “9.7.1 This Association may conduct state championship series to determine the official 16  
17 state champion(s) in those sports ~~that~~ ~~which~~ are sanctioned by the Board of Directors. Participa- 17  
18 tion in state championship series shall be limited only to those senior high schools ~~that~~ ~~which~~ 18  
19 are members of this Association and sponsor a varsity interscholastic program in a minimum of 19  
20 four (4) two (2) sports sanctioned by this Association, at least two of which must be team sports 20  
21 ~~during each sports season~~. Independent middle schools and/or junior high schools ~~that~~ ~~which~~ are 21  
22 members of this Association, as well as senior high schools holding affiliate membership, are not 22  
23 eligible for competition in state championship series. The Board of Directors shall determine the 23  
24 sports in which state championship series are to be conducted and shall establish the terms and 24  
25 conditions for each state championship series.” 25

26 Section 2. This proposal shall take effect July 1, 2003. 26

1 PROPOSAL NO. 4 1

2 Sponsored by Dawn M. Tipton, Athletic Director, 2  
3 Pinellas Christian Homeschool (Clearwater) 3  
4 4

5 A proposal to be entitled 5

6 An act relating to school eligibility for participation in 6  
7 the state championship series; amending Article 9.7.1; requiring 7  
8 eligible schools to sponsor a program at any level in a minimum 8  
9 of three (3) sanctioned sports during the school year, rather than 9  
10 a varsity program in a minimum of two (2) sanctioned sports per 10  
11 sports season; providing an effective date. 11  
12 12

13 Be It Enacted by the Representative Assembly of the Florida High School Activities As- 13  
14 sociation: 14  
15 15

16 Section 1. Article 9.7.1 is amended to read: 16

17 “9.7.1 This Association may conduct state championship series to determine the official 17  
18 state champion(s) in those sports which are sanctioned by the Board of Directors. Participation 18  
19 in state championship series shall be limited only to those senior high schools which are mem- 19  
20 bers of this Association and sponsor a ~~varsity~~ program in a minimum of two (2) sports sanctioned 20  
21 by this Association during the school year ~~each sports season~~. Independent middle schools and/or 21  
22 junior high schools which are members of this Association, as well as senior high schools hold- 22  
23 ing affiliate membership, are not eligible for competition in state championship series. The 23  
24 Board of Directors shall determine the sports in which state championship series are to be con- 24  
25 ducted and shall establish the terms and conditions for each state championship series.” 25  
26 26

26 Section 2. This proposal shall take effect July 1, 2003. 26



1 in state championship series. The Board of Directors shall determine the sports in which state  
2 championship series are to be conducted and shall establish the terms and conditions for each  
3 state championship series.”

4 Section 2. This proposal shall take effect July 1, 2003.  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26



1 for the next classification period.”

2 Section 2. This proposal shall take effect July 1, 2003.

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

1 PROPOSAL NO. 7 1

2 Sponsored by Craig S. Maughan, Headmaster, 2  
3 Trinity Preparatory School (Winter Park) 3  
4 4

5 A proposal to be entitled 5

6 An act relating to student eligibility; amending Article 6  
7 11.4.12; exempting from its provisions a student who has complet- 7  
8 ed the highest possible grade at the school attended the previous 8  
9 year or is enrolling at the earliest possible grade at the school to 9  
10 which they have transferred; providing an effective date. 10  
11 11

12 Be It Enacted by the Representative Assembly of the Florida High School Activities As- 12  
13 sociation: 13  
14 14

15 Section 1. Article 11.4.12 is amended to read: 15

16 “11.4.12 Participation by a student in non-school athletics (i.e. AAU, American Le- 16  
17 gion, club settings, etc.) on a team that is affiliated with any school other than the school which 17  
18 the student attends, or attended the prior year, followed by enrollment by that student in the affili- 18  
19 ated school shall be considered prima facie evidence of recruiting by the school to which that 19  
20 student enrolled, or that the student enrolled in that school in whole or in part for athletic reasons 20  
21 unless the student has completed the highest possible grade at the school attended the previous 21  
22 year or is enrolling at the earliest possible grade at the school to which they have transferred. 22

23 Unless this prima facie evidence of recruiting or that the student enrolled in the new school in 23  
24 whole or in part for athletic reasons is disproved by the school and student to the satisfaction 24  
25 of the Commissioner, the student shall be ineligible to represent that school in interscholastic 25  
26 athletic competition for a period of 365 consecutive days from the date of his/her enrollment in 26

1 that school. A team affiliated with the school is one that is organized by and/or coached by any  
2 member of the coaching staff at, or any other person affiliated with, that school; and/or on which  
3 the majority of the members of the team (participants in practice and/or competition) are students  
4 who attend that school.”

5 Section 2. This proposal shall take effect July 1, 2003.  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

1 PROPOSAL NO. 8 1

2 Sponsored by Frank Prendergast, Director of Athletics, 2  
3 Lake Highland Preparatory School (Orlando) 3  
4 4

5 A proposal to be entitled 5

6 An act relating to student eligibility; amending Article 6  
7 11.4.12; inserting that the offending student is ineligible only in the 7  
8 sport in which the contact with the affiliated team occurred; insert- 8  
9 ing that any such contact that occurred 365 days prior to enroll- 9  
10 ment in the affiliated school will not be considered prima facie 10  
11 evidence of the violation; deleting reference to “any other person 11  
12 affiliated with” a school as an individual whose organizing or 12  
13 coaching of a team makes it school-affiliated; providing an effec- 13  
14 tive date. 14

15 15  
16 Be It Enacted by the Representative Assembly of the Florida High School Activities As- 16  
17 sociation: 17

18 18  
19 Section 1. Article 11.4.12 is amended to read: 19

20 “11.4.12 Participation by a student in non-school athletics (i.e. AAU, American Le- 20  
21 gion, club settings, etc.) on a team that is affiliated with any school other than the school which 21  
22 the student attends, or attended the prior year, followed by enrollment by that student in the affili- 22  
23 ated school shall be considered prima facie evidence of recruiting by the school to which that 23  
24 student enrolled, or that the student enrolled in that school in whole or in part for athletic rea- 24  
25 sons. Unless this prima facie evidence of recruiting or that the student enrolled in the new school 25  
26 in whole or in part for athletic reasons is disproved by the school and student to the satisfaction 26

1 of the Commissioner, the student shall be ineligible to represent that school in interscholastic  
2 sport(s) in which contact occurred ~~athletic competition~~ for a period of 365 consecutive days from  
3 the date of his/her enrollment in that school. Contact which has occurred 365 days prior to en-  
4 rollment to affililated school will not be considered prima facie evidence. A team affiliated with  
5 the school is one that is organized by and/or coached by any member of the coaching staff at, ~~or~~  
6 ~~any other person affiliated with,~~ that school; and/or on which the majority of the members of the  
7 team (participants in practice and/or competition) are students who attend that school.”

8 Section 2. This proposal shall take effect July 1, 2003.  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

1 PROPOSAL NO. 9 1

2 Sponsored by Craig S. Maughan, Headmaster, 2  
3 Trinity Preparatory School (Winter Park) 3  
4 4

5 A proposal to be entitled 5

6 An act relating to student eligibility; creating Article 6  
7 11.4.22; stating that students entering the sixth grade for the first 7  
8 time are eligible in the schools in which they first enroll or make 8  
9 themselves candidates for athletic teams by engaging in practice 9  
10 prior to enrollment; exempting such students from the provisions 10  
11 of Article 11.4.12; providing an effective date. 11  
12 12

13 Be It Enacted by the Representative Assembly of the Florida High School Activities As- 13  
14 sociation: 14  
15 15

16 Section 1. Article 11.4.22 is created to read: 16

17 “11.4.22 A student entering the sixth grade for the first time shall be eligible in the 17  
18 school in which he or she enrolls, or makes himself or herself a candidate for an athletic team by 18  
19 engaging in a practice prior to enrolling in any member school, regardless of participation by the 19  
20 student in non-school athletics as specified in Article 11.4.12.” 20

21 Section 2. This proposal shall take effect July 1, 2003. 21  
22 22  
23 23  
24 24  
25 25  
26 26

1 PROPOSAL NO. 10 1

2 Sponsored by Thomas Rowland, Principal, 2  
3 Jay High School 3  
4 4

5 A proposal to be entitled 5

6 An act relating to student eligibility; creating Article 11.6.7; 6  
7 prohibiting the appeal of any ruling of ineligibility based on the 7  
8 age limit; amending Article 13.1.1 to conform; providing an effec- 8  
9 tive date. 9  
10 10

11 Be It Enacted by the Representative Assembly of the Florida High School Activities As- 11  
12 sociation: 12  
13 13

14 Section 1. Article 11.6.7 is created to read: 14

15 “11.6.7 The age limit cannot be appealed.” 15

16 Section 2. Article 13.1.1 is amended to read: 16

17 “13.1.1 When a student is determined to be ineligible by a member school prin- 17  
18 cipal and/or is ruled ineligible by the Commissioner based upon any provision of these Bylaws 18  
19 other than age, the member school principal may appeal the ruling of the Commissioner if he/she 19  
20 or the student takes issue with it; or, in individual cases, the member school principal may file a 20  
21 request for undue hardship waiver on behalf of the student when, in his/her opinion, enforcement 21  
22 of the provision(s) which render(s) the student ineligible would work an undue hardship upon the 22  
23 student. The principal is required to file either at the student’s request. Such eligibility appeals 23  
24 or requests for undue hardship waivers shall be considered by the Sectional Appeals Committee 24  
25 which serves the administrative section in which the petitioning school is located only at a regu- 25  
26 larly scheduled meeting. The following procedures shall apply: . . .” 26

1 (B) An appearance by the student and a school representative before the Sectional  
2 Appeals Committee is mandatory for an appeal or request for undue hardship waiver involving  
3 ~~age~~, limit of participation and unsportsmanlike conduct provisions. An appearance by the student  
4 and a school representative before the Sectional Appeals Committee is optional for an appeal or  
5 request for undue hardship waiver involving attendance, residence, transfer and academic eligi-  
6 bility provisions. A student who is required, or chooses, to appear before the Sectional Appeals  
7 Committee must be accompanied by a school representative and may be accompanied by his/her  
8 parent(s) or other individual with whom he/she lives. The school representative who is required  
9 to accompany the student must be a full-time employee of the school and must be identified on  
10 the form at the time of filing. A student who is required, or who chooses, to appear before the  
11 committee will be assigned a time for the appearance. A twenty (20) minute block will be allot-  
12 ted for each case involving an appearance. A student who is not required, but chooses, to appear  
13 before the Sectional Appeals Committee must indicate his/her decision to appear before the Sec-  
14 tional Appeals Committee on the form at the time of filing. Otherwise, the student may attend  
15 the meeting but will not be permitted to address the Sectional Appeals Committee. A student  
16 may be represented at the hearing by an attorney of his/her choice, but such representation shall  
17 not excuse the appearance of a student who is required to appear before the Sectional Appeals  
18 Committee as set forth herein.”

19 Section 3. This proposal shall take effect July 1, 2003.  
20  
21  
22  
23  
24  
25  
26

1 PROPOSAL NO. 11 1

2 Sponsored by Robert W. Hughes, Commissioner 2

3  
4 A proposal to be entitled 4

5 An act relating to student eligibility; amending Article 5  
6 11.13; requiring a school to file electronically rather than on paper 6  
7 form the annual eligibility report on each prospective student-ath- 7  
8 lete; changing in all references student to student-athlete; providing 8  
9 an effective date. 9

10  
11 Be It Enacted by the Representative Assembly of the Florida High School Activities As- 11  
12 sociation: 12

13  
14 Section 1. Article 11.13 is amended to read: 14

15 “11.13 Annual Eligibility Report 15

16 11.13.1 It shall be the responsibility of the principal of each member school to 16  
17 file an annual eligibility report with the Commissioner concerning the status of each prospective 17  
18 student-athlete. This information shall be reported electronically online through means provided 18  
19 by the Association furnished on a form to be supplied by this Association or through the Associ- 19  
20 ation’s electronic eligibility software. The Each annual eligibility report for each student-athlete 20  
21 shall contain all the information required, including the legal names of the student-athlete stu- 21  
22 dents written exactly as it they appears on his/her their birth certificates. ~~The name of a student-~~ 22  
23 ~~shall not be submitted to the Commissioner more than one time during a school year. A student-~~ 23  
24 athlete whose name is submitted on an annual eligibility report using the Association’s electronic 24  
25 eligibility software shall be eligible to participate in interscholastic athletic competition on the 25  
26 same day as his/her name is submitted to the Association office via computer. A student whose 26

1 ~~name is submitted on an annual eligibility report using the form supplied by the Association shall~~ 1  
2 ~~be eligible on the sixth day following the date of the postmark on the envelope in which the form~~ 2  
3 ~~is submitted.~~ Violations of the provisions relative to date of filing annual eligibility reports shall 3  
4 result in a financial penalty as determined by the Board of Directors. 4

5 11.13.2 Eligibility is not by sports season. When a student-athlete has been report- 5  
6 ed on an annual eligibility report to the Commissioner for a school year and declared eligible by 6  
7 the principal, the student-athlete may participate in any and all sports during the school year as 7  
8 long as the student-athlete maintains current eligibility requirements.” 8

9 Section 2. This proposal shall take effect July 1, 2004. 9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

1 PROPOSAL NO. 12 1

2 Sponsored by Robert W. Hughes, Commissioner 2

3  
4 A proposal to be entitled 4

5 An act relating to penalties for rules violations; amending 5  
6 Article 12.1.1; clarifying the Commissioner's authority to invoke 6  
7 one or more, or any combination of, the prescribed penalties; per- 7  
8 mitting the Commissioner also to invoke other penalties not pre- 8  
9 scribed that he/she may find reasonable and appropriate under the 9  
10 circumstances; providing an effective date. 10

11  
12 Be It Enacted by the Representative Assembly of the Florida High School Activities As- 12  
13 sociation: 13

14  
15 Section 1. Article 12.1.1 is amended to read: 15

16 "12.1.1 Any violation of this Association's Bylaws, as well as the regulations, 16  
17 guidelines, policies and/or procedures established by the Board of Directors in accordance with 17  
18 these Bylaws, shall be reported to the Commissioner, who shall have authority to investigate 18  
19 all alleged violations. The findings of the investigation shall be made known to the school (or 19  
20 schools), person (or persons), alleged to have committed a violation. The Commissioner shall 20  
21 then have full authority to invoke ~~one or more of the following~~ penalties against such school(s) 21  
22 or person(s) found to have committed violations, which penalties may include one or more, or a 22  
23 combination of one or more, of the following penalties, or such other penalties the Commissioner 23  
24 may find reasonable and appropriate under the circumstances: . . ." 24

25 Section 2. This proposal shall take effect July 1, 2003. 25  
26 26