

POLICY 5.60

I recommend the Board approve the adoption of the proposed revised Policy 5.60, entitled "Eligibility for Participation in K-12 Extracurricular Activities."

[Contact: Cheryl Alligood, PX46888 and Keith Oswald, PX 21113.]

Adoption

CONSENT ITEM

- This policy was approved for development at the June 19, 2013 Board meeting. At this meeting, the Board identified three (3) issues for staff to address prior to the adoption of the policy. These issues were insurance, grandfathering existing participants, and an exception for students to participate at their home schools, if a choice program does not provide an activity.
- On August 7, 2013, this policy was brought back to the Board for adoption, but was not approved.
- The policy has since been revised at lines 117-124 and 367-375.
- The revised policy is amended to include the following:
 - Students attending an All-Choice Programs only will be offered the opportunity to participate in extracurricular activities at their homeschool if their Choice school does not have that activity.
 - The policy's application to students and their participation in competitive and noncompetitive local, state, national, or international events;
 - A definition of extracurricular activity consistent with state law;
 - A prohibition against the providing of extracurricular activities based on any actual or perceived characteristic(s) listed as a prohibited category of discrimination by state or federal law, etc.;
 - General eligibility requirements for students to participate in extracurricular and interscholastic athletic activities;
 - Eligibility to participate in middle school interscholastic athletic activities;
 - Eligibility to participate in high school interscholastic athletic activities;
 - Participation of home education, charter school, and virtual education students in extracurricular activities as required by state law;

- Responsibilities for principals, assistant superintendent of curriculum and learning support, and the superintendent related to extracurricular activities; and
- A prohibition of staff recruiting students from another school for any extracurricular activity, including interscholastic athletics.

POLICY 5.60

1 2		ELIGIBILITY FOR PARTICIPATION IN K-12 EXTRACURRICULAR ACTIVITES
3	1.	Purpose-
4 5 6 7 8 9 10		Pursuant to Fla. Stat. § 1001.43(3) (c), the Board may adopt policies providing for extracurricular activities, which include interscholastic programs. This policy is to provide guidelines for student participation in extracurricular and interscholastic athletic activities. Extracurricular activities are intended to supplement the regular curriculum of the school and to provide enrichment opportunities for students. As important as extracurricular activities are for growth and development of each student, they must remain supplemental to the student's learning and mastery of the basic skills in the regular curriculum.
12	2.	<u>Scope</u>
13 14 15		This policy applies to all District students and their participation in extracurricular activities, competitive and non-competitive, at local, state, national or international events.
16	3.	<u>Definition</u>
17 18 19		Extracurricular activity means any school-authorized or education-related activity occurring during or outside the regular instructional school day, as defined by Fla. Stat. § 1006.15(2).
20	4.	Policy Statement
21 22 23 24 25 26 27		The Board recognizes that extracurricular activities promote a positive school climate and constitute an integral component of the student's educational experience. Extracurricular activities are intended to supplement the regular curriculum of the school and to provide enrichment opportunities for students. As important as extracurricular activities are for growth and development of each student, they must remain supplemental to the student's learning and mastery of the basic skills in the regular curriculum.
28 29 30 31		Whenever or wherever held, when conducted under the name of a District school, the District, or any class or organization thereof, extracurricular activities shall be under the supervision of school authorities and all applicable District and school policies and regulations shall apply.

32 <u>5.</u>**2 Equitable Participation ∓**

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No extracurricular activity shall be provided or conducted separately on the basis of any actual or perceived characteristics listed as a prohibited category of discrimination in state or federal law, nor shall any student's participation in an extracurricular activity be required or refused on those bases.

- a. 4 Principals shall select faculty advisors, directors, coaches, sponsors, and staff who are diverse in racial, ethnic, and gender composition.
- b. 2. Students shall not be excluded from, nor denied positions of leadership in any extracurricular activity due to race, color, religion, sex, ethnicity, national origin, age, sexual orientation, gender identity or expression, genetic information, marital status, parental status, disability, limited English proficiency, or any other characteristic protected by law.
- c. 3. In general, s Students shall not be denied participation in any activity because of inability to pay for expenses related to the activity. however, If students may be are required to pay for high school athletic insurance as a prerequisite to participation in extracurricular activities, and schools are encouraged to seek donors such as booster clubs may be encouraged to assist with insurance expenses for students who have difficulty covering the cost of such athletic insurance.
- d. 4. Pursuant to Fla. Stat. § 1006.28(3)(b) and Policy 8.1225, a student will be suspended from participation in extracurricular activities while owing an obligation after reasonable collection efforts by the principal, for lost, destroyed, or unnecessarily-damaged instructional materials, unless the student elects to perform community service hours to satisfy the obligation pursuant to Policy 8.1225.
 - a. The Superintendent or designee shall monitor fair and equitable access to extracurricular activities for all students as follows:
 - b. <u>Students in Grades K-5</u>. -- Elementary school principals will annually complete a survey of extracurricular activities (instructional and non-instructional). This survey will be disaggregated by total number of participants, participants with Exceptional Student Education (ESE), Limited English Proficient (LEP) students, sex, and race (African-American, Hispanic, White and Other).
 - c. Students in Grades 6-8. -- The Superintendent shall establish procedures to ensure that the eligibility Bylaws of the Palm Beach County Middle School Activities Association ("PBCMSAA") are enforced. The middle school principals will annually complete a survey of ten extracurricular activities (instructional and non-instructional) designated by the Superintendent. This survey will be disaggregated

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71	by number of participants, participants with Exceptional Student
72	Education (ESE), Limited English Proficient (LEP) students, sex, and
73	race (African-American, Hispanic, White and Other).
74	d. Students in Grades 9-12 The eligibility Bylaws of the Florida High
75	School Activities Association ("FHSAA") shall be enforced. The high
76	school principals will annually complete a survey of ten (10)
77	extracurricular activities (instructional and non-instructional) designated
78	by the Superintendent. This survey will be disaggregated by number of
79	participants, sex, and race (African-American, Hispanic, White and
80	Other).
81	Each school's survey will be submitted by May 30 to the appropriate
82	Area Superintendent, based on data from the Student Activity Screen
83	(A-26).
84	e. By June 15 of each school year, Area Superintendents will submit
85	the survey results to the Superintendent, along with a written action
86	plan for removing any apparent barriers to diversity in staff and
87	student participation in extracurricular activities. If the level of
88	participation of any such category of students is substantially
89	different from the enrollment proportion of that category, it should
90	be supportable by a nondiscriminatory explanation.
91	f. By June 30 of each year, the Superintendent shall submit a report
92	consistent with SBER 6A-19.004 to the Board regarding
93	participation in extracurricular activities at the elementary, middle
94	and senior high school levels. This report shall be based on the
95	Area Superintendent's reports and data and include:
96	i. District-wide and individual school information regarding data
97	on faculty advisors, directors, coaches, and sponsors by
98	race, national origin, sex, LEP, and ESE;
99	ii. Data on participation in selected activities by race, national
100	origin, sex, LEP, and ESE;
101	iii. Identification of any barriers regarding equitable selection of
102	diverse faculty advisors, directors, coaches, and sponsors;
103	iv. Identification of any barriers to equitable participation in
104	extracurricular activities by students of diverse populations;
105	v. Identification of any inequities in extracurricular activities
106	offered at schools;

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107			vi. Recommendations for removing any barrier to equitable
108			student participation in extracurricular activities;
109			vii. Recommendations for removing any inequity regarding
110			extracurricular activities offered at schools; and
111			viii. Recommendations for ensuring diversity of faculty advisors,
112			directors, coaches, and sponsors.
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113	6.	Gener	ral Eligibility Requirements for Extracurricular and Interscholastic
114	٥.		tic Activities
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115		a.	A student may ONLY participate ONLY in extracurricular activities,
116		•	excluding interscholastic high school athletics, sponsored by the school in
117			which they are assigned, unless the student is grandfathered in the
118			extracurricular activity as provided, or meets the criteria as outlined in 8
119			below.
120			i. Prior participation not affected. Any District student who on or
121			before July 1, 2013, is participating in an extracurricular activity at a
122			District school other than the student's assigned school pursuant to
123			Board Policies 5.01or 5.015, shall be exempt from the provisions of
124			subparagraph 6a above.
125		b.	A high school student is eligible to participate in interscholastic athletic
126			activities, as to enrollment, residence and transfer, as permitted by the
127			Bylaws of FHSAA as provided in Fla. Stat. §§ 1002.20(17) and 1006.20.
128		C.	Each Principal is responsible for ensuring that each participant in an
129			extracurricular and interscholastic athletic program is a bona fide student
130			at his or her school.
131			Principals shall annually review reassignments or transfers.
132		e.	Any student, who is found to have falsified eligibility information, including
133			his or her address in order to attend a school, shall be deemed ineligible
134			to participate and/or compete in any public school within the District for
135			one calendar year from the date the falsification is discovered. The
136		•	incident will be documented.
137		f.	The Superintendent, Area Superintendent, Principal, coach, or activity
138			sponsor may raise questions of a student's interscholastic athletic
139			eligibility at any time. Any question of eligibility shall be presented to the
140			Principal of the school where the student's eligibility is being questioned.
141		g.	Any student participating in extracurricular activities must have his or her
142		I_	participation noted in the District's student data system.
143		n.	Pursuant to Fla. Stat. § 1006.07(2)(d), a student shall maintain satisfactory
144			conduct, including adherence to appropriate dress and other codes of
145			student conduct as provided in Policies 5.182 and 5.1813. A student
146			violates the dress and other codes of student conduct policies by wearing

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147 <u>clothing that exposes underwear or body parts in an indecent or vulgar</u>
148 <u>manner or that disrupts the orderly learning environment, the student shall</u>
149 <u>be disciplined as follows:</u>

- For a first offense, the student shall be given a verbal warning and the principal or designee shall call the student's parents or quardians.
- ii. For a second offense, the student shall be ineligible to participate in any extracurricular activity for a period of time not to exceed five (5) days and the principal or designee shall meet with the student's parents or guardians.
- iii. If the student receives a third or subsequent offense for wearing clothing that exposes the student's body parts or underwear in a vulgar or indecent manner, in violation of Board Policy 5.182 and 5.1813, the student shall be ineligible to participate in any extracurricular/interscholastic activity for a period not to exceed 30 days. The principal or designee shall call and send the parents/guardians a written letter regarding the student's in-house suspension and ineligibility to participate in extracurricular/interscholastic activities.

7. <u>Eligibility for Participation in Interscholastic Athletic Activities</u>

- A. 3. Scholastic Eligibility in Middle School. In accordance As stated in the Student Progression Plan and consistent with the Bylaws of the Palm Beach County Middle School Athletic Association (PBCMSAA), the scholastic eligibility requirements for middle-school students to participate in interscholastic extracurricular athletic student activities are as follows:
 - 1. a. <u>Eligibility Time Period</u>. Eligibility for each middle-school student shall be limited to three (3) consecutive years from the time the student first enters grade 6.
 - 2. <u>b. Eligibility for Participation Commencing with 6th Grade</u>. To be eligible to compete in interscholastic athletic competition for the first grading period, a sixth-grade student must be a bona fide student in the school which he/she represents (unless in home education, or a virtual school student as provided by law and this policy explained in Section (7) below); must have been regularly promoted from the fifth grade; and must be carrying a normal class load and doing satisfactory classroom work with a satisfactory conduct record.
 - 3. €. <u>Temporary Ineligibility Due to Administrative Placement for Promotion Purposes.</u> Any middle-school student who has been administratively placed will be ineligible for the first nine (9) weeks of the placement.
 - 4. d. Maintenance of Grade Point Average. Failure in more than one (1) subject during a given nine-week grading period shall cause a student to

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- be ineligible for practice and competition during the following nine-week grading period. In addition, a student must maintain a grade point average of 2.0 as well as acceptable conduct as determined by the principal.
- 5. <u>F. Ineligibility Due to Age.</u> A middle-school student will lose eligibility upon reaching the age of 15 years prior to September 1 of the current school year.
- 6. # Eligibility for Participation in Grade 9. To participate in the first semester of grade 9, a student must have been promoted from grade 8 during the immediately-preceding school year.
- 7. <u>Maintain Satisfactory Conduct.</u> A student shall maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct as provided in Policies **5.182** and **5.1813**, and Fla. Stat. § 1006.07(2).
 - a. In any event, if the student is convicted of, or is found to have committed, a felony or a delinquent act which would have been a felony if committed by an adult regardless of whether adjudication is withheld, the student should be disqualified from participation in interscholastic extracurricular activities.
 - b. A student violates the dress and other codes of student conduct policies by wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment, the student shall be disciplined as follows:
 - i. <u>For a first offense, the student shall be given a verbal</u> warning and the principal or designee shall call the student's parents or guardians.
 - ii. <u>For a second offense, the student shall be ineligible to participate in any extracurricular activity for a period of time not to exceed five (5) days and the principal or designee shall meet with the student's parents or guardians.</u>
 - iii. If the student receives a third or subsequent offense for wearing clothing that exposes the student's body parts or underwear in a vulgar or indecent manner, in violation of Board Policy 5.182 and 5.1813, and Sec. 1006.07(2) (d) (1). Fla. Stat., the student shall be ineligible to participate in any extracurricular activity for a period not to exceed 30 days. The principal or designee shall call and send the parents/quardians a written letter regarding the student's in-

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226		house suspension and ineligibility to participate in
227		extracurricular activities.
228	В.	4. Scholastic Eligibility in High School. As stated in Fla. Stat. §
229		1006.15(3)(a), the minimum requirements for scholastic eligibility for high
230		school students to participate in interscholastic extracurricular athletic
231		student activities, are as follows:
232		1. <u>a. Grade Point Average</u> . Maintain a grade point average of 2.0 o
233		above on a 4.0 scale, or its equivalent, in the previous semester or
234		a cumulative grade point average of 2.0 or above on a 4.0 scale, or
235		its equivalent, in the courses required for high school graduation by
236		Fla. Stat. § 1003.43(1).
237		2. <u>b.</u> Academic Performance Contract . Execute and fulfill the
238		requirements of an academic performance contract between the
239		student, the <u>Board</u> district school board, the <u>Florida High Schoo</u>
240		Athletic Association (FHSAA) appropriate governing association
241		and the student's parents, if the student's cumulative grade point
242		average falls below 2.0, or its equivalent, on a 4.0 scale in the
243		courses required by Fla. Stat. § 1003.43(1) or, for students who
244		entered the 9th grade prior to the 1997-1998 school year, if the
245		student's cumulative grade point average falls below 2.0 on a 4.0
246		scale, or its equivalent, in the courses required by Fla. Stat. §
247		1003.43(1) that are taken after July 1, 1997. At a minimum, the
248		contract must require that the student attend summer school, or its
249		graded equivalent, between grades 9 and 10 or grades 10 and 11
250		as necessary.
251		3. <u>← GPA for Junior or Senior Year</u> . Have a cumulative grade poin
252		average of 2.0 or above on a 4.0 scale, or its equivalent, in the
253		courses required by Fla. Stat. § 1003.43(1) during the junior or
254		senior year.
255		4. <u>d. Causes of Ineligibility During a Semester.</u> A student who is
256		eligible at the beginning of a semester shall be eligible during the
257		remainder of the semester, except for lack of attendance, improper
258		conduct or other valid reasons which that may cause the principa
259		to declare the a student ineligible before the end of the semester.
260		5. <u>c. Maintain Satisfactory Conduct.</u> The student must maintair
261		satisfactory conduct including adherence to appropriate dress and

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other codes of student conduct policies as provided in Board Policies

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263	Policy 5.182 and 5.1813, and Sec. 1006.07(2) (d)2, Fla. Stat., as
264	determined by the principal.
265	a. In any event, if the student is convicted of, or is found to have
266	committed, a felony or a delinquent act which would have been a
267	felony if committed by an adult, regardless of whether adjudication
268	is withheld, the student should be disqualified from participation in
269	interscholastic extracurricular activities.
270	b. A student violates the dress and other codes of student conduct
271	policies by wearing clothing that exposes underwear or body parts
272	in an indecent or vulgar manner or that disrupts the orderly
273	learning environment, the student shall be disciplined as follows:
274	i. For a first offense, the student shall be given a verbal
275	warning and the principal or designee shall call the
276	student's parents or guardians.
277	ii. For a second offense, the student shall be ineligible to
278	participate in any extracurricular activity for a period of
279	time not to exceed five (5) days and the principal or
280	<u>designee</u> shall meet with the student's parents or
281	guardians.
282	iii. If the student receives a third or subsequent offense for
283	wearing clothing that exposes the student's body parts or
284	underwear in a vulgar or indecent manner, in violation of
285	Board Policies Policy 5.182 and 5.1813, and Sec.
286	1006.07(2) (d) (1), Fla. Stat., the student shall be
287	ineligible to participate in any extracurricular activity for a
288	period not to exceed 30 days. The school principal <u>or</u>
289	<u>designee</u> shall call and send the parents/guardians a
290	written letter regarding the student's in-house suspension
291	and ineligibility to participate in extracurricular activities.
292	5. General Eligibility Requirements
293	a. Middle school principals are responsible for ensuring that each middle

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Bylaws and/or the Florida School Music Association ("FSMA") Bylaws.

Eligibility is established at the first school attended as assigned by Student Services.

school participant in interscholastic activities abides by the PBCMSAA

b. High school principals are responsible for ensuring that each high school participant in interscholastic activities, as a representative of his/her

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300	school is eligible to participate under the FHSAA rules. Eligibility is
301	established at the first school attended as assigned by Student Services
302	The principal also has the responsibility of reporting any discovered
303	eligibility irregularities to the FHSAA, the Area Superintendent, and the
304	Superintendent/designee.
305	c. In addition to the FHSAA or PBCMSAA Bylaws, the following rules shall
306	apply:
307	i. No student may participate in the interscholastic activities of a
308	school other than the school to which the student was first assigned
309	for a given school year unless the student:
310	A. actually and legitimately resides in the attendance area o
311	the school; or has a transfer approved by Student Services
312	Of
313	B. has been admitted to a magnet/choice school or program
314	pursuant to the magnet/choice application process (provided
315	that the student shall become ineligible for sports at the
316	magnet/choice school if he/she drops out of, or is removed
317	from, the magnet/choice program); or
318	C. transferred to the new school under the Opportunity
319	Scholarships Program or the McKay Scholarships fo
320	Children with Disabilities Program under Fla. Stat. §
321	1002.38 or 1002.39; or was administratively placed.
322	ii. Principals shall annually review reassignments.
323	iii. Any student who is found to have falsified eligibility information
324	shall be deemed ineligible to compete in any public school within
325	the School District of Palm Beach County for one calendar yea
326	from the date the falsification is discovered.
327	iv. The Superintendent, Area Superintendent, principal, coach, o
328	activity sponsor may raise questions of eligibility at any time. Any
329 330	question of eligibility shall be presented to the principal of the school where the student's eligibility is being questioned.
330	scribbi whore the student's enginity is being questioned.
331	d. An Interscholastic Eligibility Appeals Committee (IEAC) shall be
332	established to review eligibility questions which cannot etherwise be
333	resolved. Neither this Policy nor any recommendation from the committee
334	shall be construed as waiving applicable FHSAA, or PBCMSAA Bylaws o
335	regulations.

6. Clubs and Non-Sports Activities. The minimum scholastic	standards for
 eligibility for competitive interscholastic participation in 	extracurricular
 competitive interscholastic non-sports activities and clubs wi 	ll be the same
— GPA required for sports participation by Fla. Stat. 1006.	15(3) (a), the
— FHSAA, and the PBCMSAA.	

8. <u>Participation of Home Education, and Charter School, and Virtual Education Students and Students attending All-Choice Schools</u>

Home education, charter school, and virtual education students who meet the specified academic and conduct requirements as required by Fla. Stat. § 1006.15 and this policy are eligible to participate in extracurricular and activities, including interscholastic athletic activities, consistent with the provisions below.

- 1. <u>Home Education Student.</u>

 governed by the same eligibility regulations as all public school students. "An individual—home education student is eligible to participate at the same District school to which the student would be assigned according to <u>Board policy, consistent with Fla. Stat. §§ 1002.20(18) and 1006.15(3)(c) district school board attendance area policies or which the student could choose to attend pursuant to district or interdistrict controlled open enrollment provisions, . . . in the interscholastic extracurricular activities of that school," subject to the conditions in Fla. Stat. § 1006.15(3) (c).</u>
- 2. <u>Charter School Student.</u> A charter school student is eligible to participate at the District school to which he or she the student would be assigned in accordance with Board policy, consistent with Fla. Stat. §§ 1002.20(18) and 1006.15(3)(d), unless the activity is provided by the charter school.
- 3. <u>Virtual Education Student</u>. A full-time virtual education student is eligible to participate at the District school to which he or she the student would be assigned in accordance with Board policy, consistent with Fla. Stat. §§ 1002.20(18) and 1006.15(3)(e).
- 4. All-Choice School Students. A student attending an All-Choice School (Bak Middle School of the Arts, Don Estrage High Tech Middle School, Alexander W. Dreyfoos Jr. School of the Arts or Suncoast High School) is eligible to participate at the District school to which the student would be assigned to according to Board policy ONLY if the school where the student attends does not have the activity the student wishes to partake in. The student must arrange for transportation to and from the school and must meet all criteria for participating in the activity.

9. Recruiting for Extracurricular Activities Prohibited=

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School District employees are prohibited from recruiting students from other schools for any extracurricular activity, which includes interscholastic athletic activity, either directly or indirectly, and may be subject to disciplinary action, up to and including termination for violation of this policy. Any Principal who knowingly allows or encourages recruitment from other schools will be subject to disciplinary action, up to and including termination. Any employee who knowingly and willfully withholds information regarding eligibility when questioned by his/her superiors will be subject to disciplinary action, up to and including termination.

10. Responsibility

- 1. Principals are responsible for implementing this policy.
- 2. The Assistant Superintendent of Curriculum and Learning Support is responsible for addressing any questions regarding participation in interscholastic extracurricular and interscholastic athletic activities.
- 3. The Superintendent, or his designee, is responsible for ensuring that this policy is followed and monitoring fair and equitable access to extracurricular activities for all students.

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STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(2); 1001.43(3)(c); 1006.15

LAWS IMPLEMENTED: Fla. Stat. § 1000.05; 1002.20(7)(17)(18), 1006.07; 1006.15; 1006.16;

1006.20; 1006.28(3)(b); U.S.C., Title 42, Sec. 2000h-2-2000h-6 (Title IX,

1972 Education Act Amendments)

STATE BOARD OF EDUCATION RULES: 6A-19.002; 6A-19.004, F.A.C

HISTORY: 5141; 2/28/72; 8/16/78; 4/4/79; 5/6/87; 8/17/88; 12/2/92; 2/18/98;

8/2/2004; 1/18/2012

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Cross References:

Board Policy 2.121 (Student Activities in the Schools)

Board Policy 2.21 (School Requests of Payment from Students)

Board Policy 2.40 (Field Trips)

405 Board Policy **5.324** (Students with Life Threatening Health Conditions)

Board Policy 2.404 (Use of School Buses for Field Trips and Other Purposes)

Board Policy **5.1813** (Student Conduct Code for Secondary Students)

408 Board Policy **5.182** (Student Dress Code and Uniforms)

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Legal Signoff:

The Legal Department has reviewed proposed Policy 5.60 and finds it legally sufficient for adoption by the Board.

Attorney

Date .