

POLICY 5.60

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

[Contact: Keith Oswald, PX 21113]

Development

CONSENT ITEM

- The revised policy is amended to include the following:
 - The policy's application to students and their participation in competitive and noncompetitive local, state, national, or international events (See lines 13- 19);
 - A definition of extracurricular activity consistent with state law (See lines 17-19);
 - 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. (See lines 32-56);
 - General eligibility requirements for students to participate in extracurricular and interscholastic athletic activities (See lines 113-135);
 - Eligibility to participate in middle school interscholastic athletic activities (See lines 137-196);
 - Eligibility to participate in high school interscholastic athletic activities (See lines 197-260);
 - Participation of home education, charter school, and virtual education students in extracurricular activities as required by state law (See lines 312-341);
 - Responsibilities for principals, assistant superintendent of curriculum and learning support, and the superintendent related to extracurricular activities (See lines 353-359); and
 - A prohibition of staff recruiting students from another school for any extracurricular activity, including interscholastic athletics (See lines 343-351).

- The proposed policy is amended to delete the following provisions:
 - o An annual survey by elementary school principals (See lines 59-64);
 - An annual survey by middle school principals of ten (10) extracurricular activities as designated by the superintendent (See lines 68-73);
 - An annual survey by high school principals of ten (10) extracurricular activities as designated by the superintendent (See lines 75-80);
 - Date for submission of the surveys to area superintendents (See lines 81-83);
 - Date for submission of reports to superintendent, with action plan to remove any barriers to diversity in student and staff (See lines 84-90); and
 - Date for superintendent's report to Board on extracurricular activities, with data on staff, participation and barriers, and recommendations (See lines 91-112).

POLICY 5.60

1 2	i	ELIGIBILITY FOR PARTICIPATION IN K-12 EXTRACURRICULAR ACTIVITES
3	1.	Purpose=
4 5 6 7 8 9 10 11		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 .

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, students shall not be denied participation in any activity because of inability to pay for expenses/fees, materials or uniforms related to the activity; however, students may be required to pay for athletic insurance as a prerequisite to participation in extracurricular activities, and 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)

70	designated by the Superintendent. This survey will be disaggregated
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, sox, LEP, and ESE;
101	iii. Identification of any barriers regarding equitable selection of
102	diverse faculty advisors, directors, coaches, and sponsors;

103 104		iv. Identification of any barriers to equitable participation in extracurricular activities by students of diverse populations;
105		v. Identification of any inequities in extracurricular activities
106		offered at schools;
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.
113		ral Eligibility Requirements for Extracurricular and Interscholastic
114	<u>Athlet</u>	tic Activities
115	a.	A student may ONLY participate in extracurricular activities, excluding
116 117		interscholastic high school athletics, sponsored by the school in which they are assigned.
118	h	A high school student is eligible to participate in interscholastic athletic
119	D.	activities consistent with Fla. Stat. §§ 1002.20(17) and 1006.20(2)(a), and
120		the Bylaws of FHSAA.
121	C.	Each principal is responsible for ensuring that each participant in an
122 123		extracurricular and interscholastic athletic program is a bona fide student at his or her school.
124	d.	Principals shall annually review reassignments or transfers.
125	e.	Any student, who is found to have falsified eligibility information, including
126		his or her address in order to attend a school, shall be deemed ineligible
127		to compete in any public school within the District for one calendar year
128 129		from the date the falsification is discovered. The incident will be documented.
130	f.	The superintendent, area superintendent, principal, coach, or activity
131		sponsor may raise questions of a student's interscholastic athletic
132		eligibility at any time. Any question of eligibility shall be presented to the
133		principal of the school where the student's eligibility is being questioned.
134	g.	Any student participating in extracurricular activities must have his or her
135		participation noted in the District's student data system.

7. Eligibility for Participation in Interscholastic Athletic Activities

- 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 student activities are as follows:

 - ii. ## Eligibility for Participation Commencing with 6th Grade. 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, expanded as a charter-school student, 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; must be carrying a normal class load; and must doing satisfactory classroom work with a satisfactory conduct record.
 - iii.
 Temporary Ineligibility Due to Administrative Placement. Any middle-school student who has been administratively placed will be ineligible for the first nine (9) weeks of the placement.
 - iv. ## Grade Point Average. Failure in more than one (1) subject during a given nine-week grading period shall cause a student to 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.
 - v. Ineligibility Due to Age. A middle-school student will lose eligibility upon reaching the age of 15 years prior to September 1 of the current school year.
 - vi. # <u>Eligibility for Participation in Grade 9.</u> To participate in the first semester of grade 9, a student must have been promoted from grade 8 during the immediately-preceding school year.
- vii. <u>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. § 170 1006.07(2).

171		(a) In any event, if the student is convicted of, or is found to hav
172		committed, a felony or a delinquent act which would have been
173		felony if committed by an adult regardless of whether adjudicatio
174		is withheld, the student should be disqualified from participation i
175		interscholastic extracurricular activities.
176		(b) If the student violates the dress and other codes of student conduc
177		policies by wearing clothing that exposes underwear or body part
178		in an indecent or vulgar manner or that disrupts the orderly learnin
179		environment, the student shall be disciplined as follows:
180		(i.) For a first offense, the student shall be given a verba
181		warning and the principal or designee shall call the student
182		parents or guardians.
183		(ii.) For a second offense, the student shall be ineligible t
184		participate in any extracurricular activity for a period of tim
185		not to exceed five (5) days and the principal or designe
186		shall meet with the student's parents or guardians.
187		(iii.) If the student receives a third or subsequent offense for
188		wearing clothing that exposes the student's body parts of
189		underwear in a vulgar or indecent manner, in violation of
190		Board Policy 5.182 and 5.1813, and Sec. 1006.07(2) (d) (1
191		Fla. Stat., the student shall be ineligible to participate in an
192		extracurricular activity for a period not to exceed thirty (30
193		days. The principal or designee shall call and send th
194		parents/guardians a written letter regarding the student's in
195		house suspension and ineligibility to participate i
196		extracurricular activities.
197	b. 4.	Scholastic Eligibility in High School. As stated in Fla. Stat.
198		1006.15(3)(a), the minimum requirements for scholastic eligibility for hig
199		school students to participate in interscholastic extracurricular studer
200		activities, are as follows:
201		i. <u>a. Grade Point Average</u> . Maintain a grade point average of 2.0 c
202		above on a 4.0 scale, or its equivalent, in the previous semester of
203		a cumulative grade point average of 2.0 or above on a 4.0 scale, or
204		its equivalent, in the courses required for high school graduation b
205		Fla. Stat. § 1003.43(1).

206 b. Academic Performance Contract. Execute and fulfill the ii. 207 requirements of an academic performance contract between the 208 student, the Board district school board, the Florida High School 209 Athletic Association (FHSAA) appropriate governing association, 210 and the student's parents, if the student's cumulative grade point 211 average falls below 2.0, or its equivalent, on a 4.0 scale in the courses required by Fla. Stat. § 1003.43(1) or, for students who 212 entered the 9th grade prior to the 1997-1998 school year, if the 213 214 student's cumulative grade point average falls below 2.0 on a 4.0 215 scale, or its equivalent, in the courses required by Fla. Stat. § 216 1003.43(1) that are taken after July 1, 1997. At a minimum, the 217 contract must require that the student attend summer school, or its 218 graded equivalent, between grades 9 and 10 or grades 10 and 11, 219 as necessary. 220 iii. e. GPA for Junior or Senior Year. Have a cumulative grade point 221 average of 2.0 or above on a 4.0 scale, or its equivalent, in the 222 courses required by Fla. Stat. § 1003.43(1) during the junior or 223 senior year. 224 iv. d. Causes of Ineligibility During a Semester. 225

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- iv. <u>\(\frac{\operator}{\operator}\) Causes of Ineligibility During a Semester.</u> A student who is eligible at the beginning of a semester shall be eligible during the remainder of the semester, except for lack of attendance, improper conduct or other valid reasons which may cause the principal to declare the student ineligible before the end of the semester.
- v. <u>e. Satisfactory Conduct.</u> The student must maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies as provided in Board Policies <u>Policy</u> 5.182 <u>and 5.1813</u>, and Sec. 1006.07(2) (d)2, Fla. Stat., as determined by the principal.
 - (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.) For a first offense, the student shall be given a verbal warning and the principal <u>or designee</u> shall call the student's parents or guardians.
- (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 Policies 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 thirty (30) days. The school 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 activities.

5. General Eligibility Requirements

- a. Middle school principals are responsible for ensuring that each middle school participant in interscholastic activities abides by the PBCMSAA Bylaws and/or the Florida School Music Association ("FSMA") Bylaws. Eligibility is established at the first school attended as assigned by Student Services.
- b. High school principals are responsible for ensuring that each high school participant in interscholastic activities, as a representative of his/her school is eligible to participate under the FHSAA rules. Eligibility is established at the first school attended as assigned by Student Services. The principal also has the responsibility of reporting any discovered eligibility irregularities to the FHSAA, the Area Superintendent, and the Superintendent/designee.

277	c. In addition to the FHSAA or PBCMSAA Bylaws, the following rules shall
278	apply:
279	i. No student may participate in the interscholastic activities of a
280	school other than the school to which the student was first assigned
281	for a given school year unless the student:
282	A. actually and legitimately resides in the attendance area of
283	the school; or has a transfer approved by Student Services;
284	Of
285	B. has been admitted to a magnet/choice school or program
286	pursuant to the magnet/choice application process (provided
287	that the student shall become inoligible for sports at the
288	magnet/choice school if he/she drops out of, or is removed
289	from, the magnet/choice program); or
290	C. transferred to the new school under the Opportunity
291	Scholarships Program or the McKay Scholarships for
292	Children with Disabilities Program under Fla. Stat. §§
293	1002.38 or 1002.39; or was administratively placed.
294	ii. Principals shall annually review reassignments.
295	iii. Any student who is found to have falsified eligibility information.
296	shall be deemed ineligible to compete in any public school within
297	the School District of Palm Beach County for one calendar year
298	from the date the falsification is discovered.
299	iv. The Superintendent, Area Superintendent, principal, coach, or
300	activity sponsor may raise questions of eligibility at any time. Any
301	question of eligibility shall be presented to the principal of the
302	school where the student's eligibility is being questioned.
303	d. An Interscholastic Eligibility Appeals Committee (IEAC) shall be
304	established to review eligibility questions which cannot otherwise be
305	resolved. Neither this Policy nor any recommendation from the committee
306	shall be construed as waiving applicable FHSAA, or PBCMSAA Bylaws or
307	regulations.
308	1. Clubs and Non-Sports Activities. The minimum scholastic standards for
309	eligibility for competitive interscholastic participation in extracurricular
310	competitive interscholastic non-sports activities and clubs will be the same

311 GPA required for sports participation by Fla. Stat. 1006.15(3) (a), the FHSAA, and the PBCMSAA. 312 313 Participation of Home Education, and Charter School, and Virtual 314 **Education Students** 315 Home education, charter school, and virtual education students who meet the 316 specified academic and conduct requirements as required by Fla. Stat. § 1006.15 and this policy are eligible to participate in extracurricular and interscholastic 317 318 athletic activities consistent with the provisions below. 319 Home Education Student. Home educated students are governed by the same eligibility regulations as all public school students. "An individual 320 home education student is eligible to participate at the same District 321 322 school to which the student would be assigned according to Board policy. 323 consistent with Fla. Stat. §§ 1002.20(18) and 1006.15(3)(c) district school 324 board attendance area policies or which the student could choose to 325 attend pursuant to district or interdistrict controlled open enrollment 326 provisions. . . in the interscholastic extracurricular activities of that 327 school," subject to the conditions in Fla. Stat. § 1006.15(3) (c). 328 Charter School Student. A charter school student is eligible to participate 329 at the District school to which he or she would be assigned in accordance with Board policy, consistent with Fla. Stat. §§ 1002.20(18) 330 331 and 1006.15(3)(d), unless the activity is provided by the charter school... 332 "An individual charter school student. . . is eligible to participate at the 333 public school to which the student would be assigned according to district school board attendance area policies... or which the student could 334 335 choose to attend, pursuant to district or interdistrict controlled open-336 enrollment provisions, in any interscholastic extracurricular activity of that 337 school, unless such activity is provided by the student's charter school," 338 subject to the conditions set forth in Fla. Stat. § 1006.15(3)(d). 339 Virtual Education Student. A full-time virtual education student is eligible to participate at the District school to which his or she would be assigned 340 in accordance with Board policy, consistent with Fla. Stat. §§ 1002.20(18) 341 342 and 1006.15(3)(e). 343 Recruiting for Extracurricular Activities Prohibited= 344 School District employees are prohibited from recruiting students from other 345 schools for any extracurricular activity, which includes interscholastic athletic 346 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

349 350 351		disciplinary action, up to and including termination. Any employee who knowingle and willfully withholds information regarding eligibility when questioned by his/he superiors will be subject to disciplinary action, up to and including termination.			
352	10.	Resp	<u>onsibility</u>		
353		a.	Principals are responsible for implementing this policy.		
354 355 356		b.	The Assistant Superintendent of Curriculum and Learning Support is responsible for addressing any questions regarding participation in interscholastic activities.		
357 358 359		C.	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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361 362	STATL	JTORY A	UTHORITY: Fla. Stat. §§ 1001.41(2); 1001.43(3)(c); 1006.15		
363 364 365 366	LAWS	IMPLEM	ENTED: 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)		
367	STATE	BOARE	OF EDUCATION RULES: 6A-19.002; 6A-19.004, F.A.C		
368 369 370	HISTO	RY:	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;/2013		
371 372	Cross	Referen	ces:		
373			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)		
374 375 376 377 378			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) Board Policy 5.182 (Student Dress Code and Uniforms)		

Legal Signoff:

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

april 23, 20