

POLICY 5.60

5-D I recommend the Board approve the proposed revisions to Policy 5.60, entitled "Eligibility for Participation in K-12 Extracurricular Activities."

[Contact: Linda Cowart, 434-7450.]

Development

CONSENT ITEM

- Among other changes, this revision incorporates content from Directive D-5.60 into this Policy.
- An ad hoc committee including principals, athletics office representatives, and a Student Services representative participated in portions of the revision drafting process.

PROPOSED REVISIONS TO POLICY 5.60

ELIGIBILITY FOR PARTICIPATION IN K-12 EXTRACURRICULAR ACTIVITIES

- 1 1. **Purpose**-- Extracurricular activities are intended to supplement the regular curriculum of the
2 school and to provide enrichment opportunities for students. As important as extracurricular
3 activities are for growth and development of each student, they must remain supplemental to
4 the student's learning and mastery of the basic skills in the regular curriculum.
- 5 2. **Equitable Participation**
 - 6 a. Principals shall select faculty advisors, directors, coaches, sponsors, and staff who are
7 diverse in racial, ethnic, and gender composition.
 - 8 b. Students shall not be excluded from nor denied positions of leadership in any
9 extracurricular activity due to race, ~~ethnicity~~ national origin, disabilities, ~~gender~~ sex, marital
10 status, or limited English proficiency, as required by the Florida Education Equity Act.
 - 11 c. Students shall not be denied participation in any activity because of inability to pay for
12 expenses related to the activity. However, pursuant to Fla. Stat. § 1006.28(3)(b)
13 [233.46(2)] and Policy 8.1225 [currently under development], no student may participate in
14 extracurricular activities while still owing an obligation after reasonable collection efforts by
15 the principal, for lost, destroyed, or unnecessarily-damaged instructional materials.
 - 16 d. The Superintendent or designee shall monitor fair and equitable access to extracurricular
17 activities for all students as follows:
 - 18 i. STUDENTS IN GRADES K-5-- Elementary school principals will annually complete
19 a survey of extracurricular activities (instructional and non-instructional). This survey
20 will be disaggregated by total number of participants, participants with Exceptional
21 Student Education (ESE), Limited English Proficient (LEP) students, ~~gender~~ sex, and
22 race (African-American, Hispanic, White and Other).
 - 23 ii. STUDENTS IN GRADES 6-8-- The Superintendent shall establish procedures to
24 ensure that the eligibility Bylaws of the Palm Beach County Middle School ~~Athletic~~
25 Activities Association ("PBCMSAA") are enforced. The middle school principals will
26 annually complete a survey of ten extracurricular activities (instructional and non-
27 instructional) designated by the Superintendent. This survey will be disaggregated by
28 number of participants, participants with Exceptional Student Education (ESE),
29 Limited English Proficient (LEP) students, ~~gender~~ sex, and race (African-American,
30 Hispanic, White and Other).
 - 31 iii. STUDENTS IN GRADES 9-12-- ~~The Superintendent shall establish procedures to~~
32 ~~ensure that t~~The eligibility Bylaws of the Florida High School Activities Association
33 ("FHSA") are shall be enforced. The high school principals will annually complete a
34 survey of ten (10) extracurricular activities (instructional and non-instructional)
35 designated by the Superintendent. This survey will be disaggregated by number of
36 participants, ~~gender~~ sex, and race (African-American, Hispanic, White and Other).

Each school's survey will be submitted by May 30 to the appropriate ~~Area Executive Director~~ Area Superintendent, based on data from the Student Activity Screen (A-26).

- e. By June 15 of each school year, Area Superintendents will submit the survey results to the Superintendent, along with a written action plan for removing any apparent barriers to diversity in staff and student participation in extracurricular activities. If the level of participation of any such category of students is substantially different from the enrollment proportion of that category, it should be supportable by a nondiscriminatory explanation.
- f. By June 30 of each year, the Superintendent shall submit a report consistent with SBER 6A-19.004 to the Board regarding participation in extracurricular activities at the elementary, middle, and senior high school levels. This report shall be based on the Area Superintendent's reports and data and include:
- i. District-wide and individual school information regarding data on faculty advisors, directors, coaches, and sponsors by race, ~~ethnicity~~ national origin, ~~gender sex~~, LEP, and ESE;
 - ii. Data on participation in selected activities by race, ~~ethnicity~~ national origin, ~~gender sex~~, LEP, and ESE;
 - iii. Identification of any barriers regarding equitable selection of diverse faculty advisors, directors, coaches, and sponsors;
 - iv. Identification of any barriers to equitable participation in extracurricular activities by students of diverse populations;
 - v. Identification of any inequities in extracurricular activities offered at schools;
 - vi. Recommendations for removing any barrier to equitable students ~~participating~~ in extracurricular activities;
 - vii. Recommendations for removing any inequity regarding extracurricular activities offered at schools; and
 - viii. Recommendations for ensuring diversity of faculty advisors, directors, coaches, and sponsors.

3. Scholastic Eligibility in Middle School.-- As stated in the Pupil Progression Plan and consistent with the Bylaws of the PBCMSAA, the scholastic eligibility requirements for middle-school students to participate in interscholastic extracurricular student activities are as follows:

- a. Eligibility for each middle-school student shall be limited to three (3) consecutive years from the time the student first enters grade 6.
- b. 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 charter-school student as 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.

- 74 c. Any middle-school student who has been administratively placed will be ineligible for the
75 first nine (9) weeks of the placement.
- 76 d. Failure in more than one (1) subject during a given nine-week grading period shall cause
77 a student to be ineligible for practice and competition during the following nine-week
78 grading period. In addition, a student must maintain a grade point average of 2.0 as well
79 as acceptable conduct as determined by the principal.
- 80 e. A middle-school student will lose eligibility upon reaching the age of 15 years prior to
81 September 1.
- 82 f. To participate in the first semester of grade 9, a student must have been regularly
83 promoted from grade 8 during the immediately-preceding school year.

84 4. **Scholastic Eligibility in High School.**-- As stated in 1006.15(3)(a) [232.425(3)(a)], the
85 minimum requirements for scholastic eligibility for high school students to participate in
86 interscholastic extracurricular student activities, are as follows:

- 87 a. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the
88 previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or
89 its equivalent, in the courses required for high school graduation by s. 1003.43(1)
90 [232.246(1)].
- 91 b. Execute and fulfill the requirements of an academic performance contract between the
92 student, the district school board, the appropriate governing association, and the student's
93 parents, if the student's cumulative grade point average falls below 2.0, or its equivalent,
94 on a 4.0 scale in the courses required by s. 1003.43(1) [232.246(1)] or, for students who
95 entered the 9th grade prior to the 1997-1998 school year, if the student's cumulative
96 grade point average falls below 2.0 on a 4.0 scale, or its equivalent, in the courses
97 required by s. 1003.43(1) [232.246(1)] that are taken after July 1, 1997. At a minimum, the
98 contract must require that the student attend summer school, or its graded equivalent,
99 between grades 9 and 10 or grades 10 and 11, as necessary.
- 00 c. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in
01 the courses required by s. 1003.43(1) [232.246(1)] during the junior or senior year.
- 02 d. A student who is eligible at the beginning of a semester shall be eligible during the
03 remainder of the semester, except for lack of attendance, improper conduct or other valid
04 reasons which may cause the principal to declare the student ineligible before the end of
05 the semester.
- 06 e. The student must maintain satisfactory conduct, as determined by the principal. (In any
07 event, if the student is convicted of, or is found to have committed, a felony or a
08 delinquent act which would have been a felony if committed by an adult, regardless of
09 whether adjudication is withheld, the student shall be disqualified from participation in
10 interscholastic extracurricular activities.)

11 5. **General Eligibility Requirements**

- 12 a. Middle school principals are responsible for ensuring that each middle school participant

13 in interscholastic activities abides by the PBCMSAA Bylaws and/or the Florida School
14 Music Association ("FSMA") Bylaws. Eligibility is established at the first school attended
15 as assigned by Student Services.

16 b. High school principals are responsible for ensuring that each high school participant in
17 interscholastic activities, as a representative of his/her school, is eligible to participate
18 under the FHSAA rules. Eligibility is established at the first school attended as assigned
19 by Student Services. The principal also has the responsibility of reporting any discovered
20 eligibility irregularities to the FHSAA, the Area Superintendent, and the
21 Superintendent/designee.

22 c. In addition to the FHSAA or PBCMSAA Bylaws, the following rules shall apply ~~to such~~
23 ~~eligibility;~~

24 ~~a. An Interscholastic Eligibility Appeals Committee (IEAC) shall be established to review~~
25 ~~eligibility questions which cannot otherwise be resolved;~~

26 i. No student may participate in the interscholastic activities of a school other than the
27 school to which the student was first assigned for a given school year unless the
28 student:

29 A. Actually and legitimately lives resides in the attendance area of the school; or

30 B. Has a transfer approved by ~~the Superintendent's Transfer Review Committee~~
31 Student Services (however, for any such transfers after June 30, 2003,
32 eligibility shall not begin until one calendar year after the date the transfer is
33 approved, if the student was playing any sports at the first school); or

34 C. Has been admitted to a magnet/choice school or program pursuant to the
35 magnet/choice application process (provided that the student shall become
36 ineligible for sports at the magnet/choice school if he/she drops out of, or is
37 removed from, the magnet/choice program); or

38 D. Transferred to the new school under the Opportunity Scholarships Program or
39 the McKay Scholarships for Children with Disabilities Program under Fla. Stat.
40 §§ 1002.38 [229.0537] or 1002.39 [229.05371]; or

41 E. Was administratively placed.

42 ii. A student adversely affected by paragraph (5)(c)(i) may request a waiver by: 1)
43 requesting the signature of the principals of both the originating school and
44 destination school on a waiver form; and 2) submitting the signed waiver form to a
45 rotating waiver committee, which may either approve or deny the request. This
46 waiver request form shall be treated as a confidential student record under Fla. Stat.
47 § 1002.22 [228.093(3)].

48 A. The waiver committee shall consist of the following categories of personnel:
49 one (1) representative from the District's athletics office; two (2) athletics
50 directors, neither of whom is from the two schools; one (1) representative from
51 Student Services; and two (2) principals, neither of which is from either of the
52 two schools.

53 B. The committee shall consider whether the student has shown substantial good
54 cause for the requested waiver, such as a showing of substantial health and
55 safety concerns (such as the student having been the victim of a battery at the
56 first school); extraordinary hardship; or transfer under Article II, § O of the CTA
57 contract as the child of an instructional employee at the school.

58 C. A waiver granted under this paragraph shall not interfere with the application of
59 the eligibility restrictions in paragraph (5)(c)(i) to other students or to future
60 situations for this student.

61 iii. Principals shall annually review reassignments.

62 ~~iv. The student shall be eligible in the school in which he or she first enrolled each~~
63 ~~school year. The student shall be eligible in that school so long as he or she remains~~
64 ~~enrolled in that school.~~

65 iv. Any student who is found to have falsified eligibility information shall be permanently
66 deemed-ineligible to compete in any public school within the School District of Palm
67 Beach County for one calendar year from the date the falsification is discovered.

68 v. The Superintendent, Area Superintendent, principal, coach, activity sponsor, or any
69 other interested party may raise questions of eligibility at any time. Any question of
70 eligibility shall be presented to the principal of the school where the student's
71 eligibility is being questioned. If the person raising the eligibility issue is not satisfied,
72 the question of eligibility may be presented in writing to the appropriate
73 Interscholastic Eligibility Appeals Committee (IEAC) of the District. The request must
74 state with particularity the basis for questioning the student's eligibility. This written
75 complaint shall be treated as a confidential student record under Fla. Stat. § 1002.22
76 [228.093(3)].

77 vi. An A High School Interscholastic Eligibility Appeals Committees (IEAC) and a Middle
78 School IEAC shall be established to review eligibility questions which are not
79 resolved under FHSAA or PBCMSAA Bylaws.

80 A. High School.-- The high school IEAC shall be composed of five (5) members
81 appointed annually. Three (3) members shall be high school principals
82 appointed by the Chair of the High School Principals' Department. Two (2)
83 members shall be District administrators appointed by the
84 Superintendent/designee: one from Student Services and one from the District
85 athletics office.

86 B. Middle School.-- The middle school IEAC shall be composed of five (5)
87 members appointed annually. Three (3) members shall be middle school
88 principals appointed by the Chair of the Middle School Principals' Department.
89 Two (2) members shall be District administrators appointed by the
90 Superintendent/designee: one from Student Services and one from the District
91 athletics office.

92 C. The Chairs of the Middle and High School Principals' Departments and the
93 Superintendent/designee shall each appoint an alternate member annually to

94 substitute on the respective IEAC in the event that a regular member has a
95 conflict of interest in an eligibility matter.

96 D. Copies of the IEAC meeting agenda will be distributed to committee members a
97 week in advance of each meeting. The agenda may list the school where the
98 eligibility is being questioned, but shall list the questioned students only by a
99 confidential identifier code.

100 E. The IEAC shall review each questioned eligibility to ascertain the student's
101 eligibility under the FHSAA Bylaws and this Policy. Before rendering its
102 recommendation regarding eligibility, the committee shall consider the written
103 request questioning eligibility and the student's residence affidavit if relevant;
104 and it may consider other documentation or written and/or oral testimony from
105 appropriate parties.

106 1. If the affected parties both agree with or acquiesce in the committee's
107 recommendation, the principal will execute any documents necessary for
108 the student to be in compliance with FHSAA or PBCMSAA Bylaws and
109 this Policy.

110 2. If any of the affected parties (or the parent(s)/guardian of a minor party)
111 timely objects to the committee's recommendation within ten (10) work
112 days of the committee making its recommendation, such party may appeal
113 to the Superintendent. The Superintendent/designee shall review the
114 documentation submitted to the committee and the committee's
115 recommendation, may request additional information if desired, and shall
116 either approve or deny the student's eligibility for that school year. The
117 Superintendent's/designee's decision shall be the final decision of the
118 District.

119 F. Neither this Policy nor any recommendation from the committee shall be
120 construed as waiving applicable FHSAA or PBCMSAA Bylaws or regulations.

121 6. **Clubs and Non-Sports Activities.** The minimum scholastic standards for eligibility for
122 competitive interscholastic participation in extracurricular clubs and non-sports activities will be
123 the same GPA required for sports participation by Fla. Stat. 1006.15(3)(a) [232.425(3)(a)], the
124 FHSAA, and the PBCMSAA, determined by the Superintendent or designee and shall be
125 consistently applied to all schools.

126 7. **Home Education and Charter School Students.--** Home educated students are governed by
127 the same eligibility regulations as all public school students. "An individual home education
128 student is eligible to participate at the same public school to which the student would be
129 assigned according to district school board attendance area policies or which the student could
130 choose to attend pursuant to district or interdistrict controlled open enrollment provisions, . . . in
131 the interscholastic extracurricular activities of that school," subject to the conditions in Fla. Stat.
132 § 1006.15(3)(c) [232.425(3)(c)]. "An individual charter school student . . . is eligible to
133 participate at the public school to which the student be assigned according to district school
134 board attendance area policies or which the student could choose to attend, pursuant to district
135 or interdistrict controlled open-enrollment provisions, in any interscholastic extracurricular

!36 activity of that school, unless such activity is provided by the student's charter school," subject
!37 to the conditions set forth in Fla. Stat. § 1006.15(3)(d) [232.425(3)(d)].

!38 8. **Recruiting Prohibited.--** School District employees are prohibited from recruiting students
!39 from other schools for any athletic activity, either directly or indirectly, and may be subject to
!40 disciplinary action, up to and including termination for violation of this policy. Any principal who
!41 knowingly allows or encourages recruitment from other schools will be subject to disciplinary
!42 action, up to and including termination. Any employee who knowingly and willfully withholds
!43 information regarding eligibility when questioned by his/her superiors will be subject to
!44 disciplinary action, up to and including termination.

!45
!46 STATUTORY AUTHORITY: Sections §§ 1001.41(2) [230.22(2)]; 1006.15 [232.425], Fla. Stat..
!47 LAWS IMPLEMENTED: Section §§ 1000.05 [228.2001]; 1001.41(1), (2) [230.22(1), (2)];
!48 1006.15 [232.425]; 1006.20 [232.60-.69; 232.61; 232.62; 232.63;
!49 232.64; 232.65; 232.66; 232.67; 232.68; 232.69]; 1006.28(3)(b)
!50 [233.46(2)], Fla. Stat.

!51 **STATE BOARD RULES**
!52 **SUPPLEMENTED:** 6A-19.002, 6A-19.004, F.A.C.

!53
!54 HISTORY: 5141; 2/28/72; 8/16/78; 4/4/79; 5/6/87; 8/17/88; 12/2/92; 2/18/98;
!55 1 /03
!56

Legal Signoff:

The Legal Department has reviewed the proposed revision to Policy 5.60 and finds it legally sufficient.

Attorney

Date