

POLICY 5.60

5-F 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

- The Board began discussion of this proposed revision on January 13, 2003, but time did not permit concluding the discussion.
- This revision incorporates content from Directive D-5.60 regarding reporting of data on equitable participation.
- An ad hoc committee including principals, an area superintendent, athletics office representatives, and a Student Services representative participated in portions of the revision drafting process. The committee requested the amendment on lines 140-144: when a student is playing sports at the first school and then obtains a transfer from Student Services to another school, the student will be eligible to play sports at the second school only after a one-year period has elapsed.

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
2 the school and to provide enrichment opportunities for students. As important as
3 extracurricular activities are for growth and development of each student, they must remain
4 supplemental to the student's learning and mastery of the basic skills in the regular
5 curriculum.
- 6 2. **Equitable Participation**
- 7 a. Principals shall select faculty advisors, directors, coaches, sponsors, and staff who are
8 diverse in racial, ethnic, and gender composition.
- 9 b. Students shall not be excluded from nor denied positions of leadership in any
10 extracurricular activity due to race, ~~ethnicity~~ national origin, disabilities, ~~gender~~ sex,
11 marital status, or limited English proficiency, as required by the Florida Education
12 Equity Act.
- 13 c. Students shall not be denied participation in any activity because of inability to pay for
14 expenses related to the activity. However, pursuant to Fla. Stat. § 1006.28(3)(b)
15 [233.46(2)] and Policy 8.1225 [anticipated to be adopted on January 13, 2003], a
16 student will be suspended from participation in extracurricular activities while owing an
17 obligation after reasonable collection efforts by the principal, for lost, destroyed, or
18 unnecessarily-damaged instructional materials, unless the student elects to perform
19 community service hours to satisfy the obligation pursuant to Policy 8.1225.
- 20 d. The Superintendent or designee shall monitor fair and equitable access to
21 extracurricular activities for all students as follows:
- 22 i. STUDENTS IN GRADES K-5.-- Elementary school principals will annually
23 complete a survey of extracurricular activities (instructional and non-instructional).
24 This survey will be disaggregated by total number of participants, participants with
25 Exceptional Student Education (ESE), Limited English Proficient (LEP) students,
26 ~~gender~~ sex, and race (African-American, Hispanic, White and Other).
- 27 ii. STUDENTS IN GRADES 6-8.-- The Superintendent shall establish procedures to
28 ensure that the eligibility Bylaws of the Palm Beach County Middle School Athletic
29 Activities Association ("PBCMSAA") are enforced. The middle school principals
30 will annually complete a survey of ten extracurricular activities (instructional and
31 non-instructional) designated by the Superintendent. This survey will be
32 disaggregated by number of participants, participants with Exceptional Student
33 Education (ESE), Limited English Proficient (LEP) students, ~~gender~~ sex, and race
34 (African-American, Hispanic, White and Other).
- 35 iii. STUDENTS IN GRADES 9-12.-- ~~The Superintendent shall establish procedures~~
36 ~~to ensure that t~~The eligibility Bylaws of the Florida High School Activities

37 Association ("FHSAA") ~~are~~ shall be enforced. The high school principals will
38 annually complete a survey of ten (10) extracurricular activities (instructional and
39 non-instructional) designated by the Superintendent. This survey will be
40 disaggregated by number of participants, ~~gender~~ sex, and race (African-
41 American, Hispanic, White and Other).

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

44 e. By June 15 of each school year, Area Superintendents will submit the survey results to
45 the Superintendent, along with a written action plan for removing any apparent barriers
46 to diversity in staff and student participation in extracurricular activities. If the level of
47 participation of any such category of students is substantially different from the
48 enrollment proportion of that category, it should be supportable by a nondiscriminatory
49 explanation.

50 f. By June 30 of each year, the Superintendent shall submit a report consistent with
51 SBER 6A-19.004 to the Board regarding participation in extracurricular activities at the
52 elementary, middle, and senior high school levels. This report shall be based on the
53 Area Superintendent's reports and data and include:

54 i. District-wide and individual school information regarding data on faculty advisors,
55 directors, coaches, and sponsors by race, ~~ethnicity~~ national origin, ~~gender~~ sex,
56 LEP, and ESE;

57 ii. Data on participation in selected activities by race, ~~ethnicity~~ national origin, ~~gender~~
58 sex, LEP, and ESE;

59 iii. Identification of any barriers regarding equitable selection of diverse faculty
60 advisors, directors, coaches, and sponsors;

61 iv. Identification of any barriers to equitable participation in extracurricular activities
62 by students of diverse populations;

63 v. Identification of any inequities in extracurricular activities offered at schools;

64 vi. Recommendations for removing any barrier to equitable students participating
65 in extracurricular activities;

66 vii. Recommendations for removing any inequity regarding extracurricular activities
67 offered at schools; and

68 viii. Recommendations for ensuring diversity of faculty advisors, directors, coaches,
69 and sponsors.

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

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

- 76 b. To be eligible to compete in interscholastic athletic competition for the first grading
77 period, a sixth-grade student must be a bona fide student in the school which he/she
78 represents (unless in home education or a charter-school student as explained in
79 Section (7) below); must have been regularly promoted from the fifth grade; and must
80 be carrying a normal class load and doing satisfactory classroom work with a
81 satisfactory conduct record.
- 82 c. Any middle-school student who has been administratively placed will be ineligible for
83 the first nine (9) weeks of the placement.
- 84 d. Failure in more than one (1) subject during a given nine-week grading period shall
85 cause a student to be ineligible for practice and competition during the following nine-
86 week grading period. In addition, a student must maintain a grade point average of 2.0
87 as well as acceptable conduct as determined by the principal.
- 88 e. A middle-school student will lose eligibility upon reaching the age of 15 years prior to
89 September 1.
- 90 f. To participate in the first semester of grade 9, a student must have been regularly
91 promoted from grade 8 during the immediately-preceding school year.
- 92 4. **Scholastic Eligibility in High School.**-- As stated in 1006.15(3)(a) [232.425(3)(a)], the
93 minimum requirements for scholastic eligibility for high school students to participate in
94 interscholastic extracurricular student activities, are as follows:
- 95 a. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the
96 previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale,
97 or its equivalent, in the courses required for high school graduation by s. 1003.43(1)
98 [232.246(1)].
- 99 b. Execute and fulfill the requirements of an academic performance contract between the
100 student, the district school board, the appropriate governing association, and the
101 student's parents, if the student's cumulative grade point average falls below 2.0, or its
102 equivalent, on a 4.0 scale in the courses required by s. 1003.43(1) [232.246(1)] or, for
103 students who entered the 9th grade prior to the 1997-1998 school year, if the student's
104 cumulative grade point average falls below 2.0 on a 4.0 scale, or its equivalent, in the
105 courses required by s. 1003.43(1) [232.246(1)] that are taken after July 1, 1997. At a
106 minimum, the contract must require that the student attend summer school, or its
107 graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.
- 108 c. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its
109 equivalent, in the courses required by s. 1003.43(1) [232.246(1)] during the junior or
110 senior year.
- 111 d. A student who is eligible at the beginning of a semester shall be eligible during the
112 remainder of the semester, except for lack of attendance, improper conduct or other
113 valid reasons which may cause the principal to declare the student ineligible before the
114 end of the semester.

115 e. The student must maintain satisfactory conduct, as determined by the principal. (In
116 any event, if the student is convicted of, or is found to have committed, a felony or a
117 delinquent act which would have been a felony if committed by an adult, regardless of
118 whether adjudication is withheld, the student should be disqualified from participation in
119 interscholastic extracurricular activities.)

120 5. **General Eligibility Requirements**

121 a. Middle school principals are responsible for ensuring that each middle school
122 participant in interscholastic activities abides by the PBCMSAA Bylaws and/or the
123 Florida School Music Association ("FSMA") Bylaws. Eligibility is established at the first
124 school attended as assigned by Student Services.

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

131 c. In addition to the FHSAA or PBCMSAA Bylaws, the following rules shall apply to such
132 eligibility:

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

135 i. No student may participate in the interscholastic activities of a school other than
136 the school to which the student was first assigned for a given school year
137 **UNLESS** the student:

138 A. actually and legitimately lives resides in the attendance area of the school; or

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

143 C. has been admitted to a magnet/choice school or program pursuant to the
144 magnet/choice application process (provided that the student shall become
145 ineligible for sports at the magnet/choice school if he/she drops out of, or is
146 removed from, the magnet/choice program); or

147 D. transferred to the new school under the Opportunity Scholarships Program
148 or the McKay Scholarships for Children with Disabilities Program under Fla.
149 Stat. §§ 1002.38 [229.0537] or 1002.39 [229.05371]; or

150 E. was administratively placed.

151 ii. A student adversely affected by paragraph (5)(c)(i) may request a waiver by: 1)
152 requesting the signature of the principals of both the originating school and
153 destination school on a waiver form; and 2) submitting the signed waiver form to a

154 rotating waiver committee, which may either approve or deny the request. This
155 waiver request form shall be treated as a confidential student record under Fla.
156 Stat. § 1002.22 [228.093(3)].

157 A. The waiver committee shall consist of the following categories of personnel:
158 one (1) representative from the District's athletics office; two (2) athletics
159 directors, neither of whom is from the two schools; one (1) representative
160 from Student Services; and two (2) principals, neither of which is from either
161 of the two schools.

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

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

171 iii. Principals shall annually review reassignments.

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

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

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

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

191 A. High School.-- The high school IEAC shall be composed of five (5)
192 members appointed annually. Three (3) members shall be high school
193 principals appointed by the Chair of the High School Principals' Department.
194 Two (2) members shall be District administrators appointed by the

- 195 Superintendent/designee: one from Student Services and one from the
196 District athletics office.
- 197 B. Middle School.-- The middle school IEAC shall be composed of five (5)
198 members appointed annually. Three (3) members shall be middle school
199 principals appointed by the Chair of the Middle School Principals'
200 Department. Two (2) members shall be District administrators appointed by
201 the Superintendent/designee: one from Student Services and one from the
202 District athletics office.
- 203 C. The Chairs of the Middle and High School Principals' Departments and the
204 Superintendent/designee shall each appoint an alternate member annually
205 to substitute on the respective IEAC in the event that a regular member has
206 a conflict of interest in an eligibility matter.
- 207 D. Copies of the IEAC meeting agenda will be distributed to committee
208 members a week in advance of each meeting. The agenda may list the
209 school where the eligibility is being questioned, but shall list the questioned
210 students only by a confidential identifier code.
- 211 E. The IEAC shall review each questioned eligibility to ascertain the student's
212 eligibility under the FHSAA Bylaws and this Policy. Before rendering its
213 recommendation regarding eligibility, the committee shall consider the
214 written request questioning eligibility and the student's residence affidavit if
215 relevant; and it may consider other documentation or written and/or oral
216 testimony from appropriate parties.
- 217 1. If the affected parties both agree with or acquiesce in the committee's
218 recommendation, the principal will execute any documents necessary
219 for the student to be in compliance with FHSAA or PBCMSAA Bylaws
220 and this Policy.
- 221 2. If any of the affected parties (or the parent(s)/guardian of a minor party)
222 timely objects to the committee's recommendation within ten (10) work
223 days of the committee making its recommendation, such party may
224 appeal to the Superintendent. The Superintendent/designee shall
225 review the documentation submitted to the committee and the
226 committee's recommendation, may request additional information if
227 desired, and shall either approve or deny the student's eligibility for that
228 school year. The Superintendent's/designee's decision shall be the
229 final decision of the District.
- 230 E. Neither this Policy nor any recommendation from the committee shall be
231 construed as waiving applicable FHSAA or PBCMSAA Bylaws or
232 regulations.
- 233 6. **Clubs and Non-Sports Activities.** The minimum scholastic standards for eligibility for
234 competitive interscholastic participation in extracurricular clubs and non-sports activities will
235 be the same GPA required for sports participation by Fla. Stat. 1006.15(3)(a)

236 ~~[232.425(3)(a)], the FHSAA, and the PBCMSAA, determined by the Superintendent or~~
237 ~~designee and shall be consistently applied to all schools.~~

238 7. **Home Education and Charter School Students.--** Home educated students are governed
239 by the same eligibility regulations as all public school students. "An individual home
240 education student is eligible to participate at the same public school to which the student
241 would be assigned according to district school board attendance area policies or which the
242 student could choose to attend pursuant to district or interdistrict controlled open enrollment
243 provisions, . . . in the interscholastic extracurricular activities of that school," subject to the
244 conditions in Fla. Stat. § 1006.15(3)(c) [232.425(3)(c)]. "An individual charter school student
245 . . . is eligible to participate at the public school to which the student be assigned according
246 to district school board attendance area policies or which the student could choose to
247 attend, pursuant to district or interdistrict controlled open-enrollment provisions, in any
248 interscholastic extracurricular activity of that school, unless such activity is provided by the
249 student's charter school," subject to the conditions set forth in Fla. Stat. § 1006.15(3)(d)
250 [232.425(3)(d)].

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

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259 STATUTORY AUTHORITY: Sections ~~§§~~ 1001.41(2) [230.22(2)]; 1006.15 [232.425], Fla.
260 Stat..

261 LAWS IMPLEMENTED: Section ~~§§~~ 1000.05 [228.2001]; 1001.41(1), (2) [230.22(1), (2)];
262 1006.15 [232.425]; 1006.20 [232.60-.69; 232.64; 232.62;
263 232.63; 232.64; 232.65; 232.66; 232.67; 232.68; 232.69];
264 1006.28(3)(b) [233.46(2)], Fla. Stat.

265 **STATE BOARD RULES**

266 **SUPPLEMENTED:** 6A-19.002, 6A-19.004, F.A.C.

267
268 HISTORY: 5141; 2/28/72; 8/16/78; 4/4/79; 5/6/87; 8/17/88; 12/2/92;
269 2/18/98;

270 / /03

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Legal Signoff:

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

Attorney

Date