



## **POLICY 5.60**

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

[Contact: Keith Oswald, PX 48813 Elizabeth McBride PX48751.]

### **Development**

### **CONSENT ITEM**

- This revision expands the anti-discrimination statement in regards to student participation in extracurricular activities. See *Sec. 2(b)*.
- The proposed revised policy also incorporates the 2011 Florida Legislative Changes enacted upon the passage of Senate Bill 228, generally known as the baggy/saggy pants legislation, amending Sec. 1006.15, Fla. Stat. See *Sec. 4(e)*.
  - Section 1006.15(3) (a), F.S., addresses student criteria for participation in extracurricular activities. The 2011 legislation specifically provides that a student must maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies.
  - Statutory sanctions for students who violate the policy are as follows:
    - For first offenders, the school is required to give the student a verbal warning, and the principal must call the student’s parent or guardian;
    - For second offenders, the student is ineligible to participate in extracurricular activities for up to 5 days, and the principal must meet with the parent or guardian;
    - For third or subsequent offenders, the extracurricular activity exclusion is extended to up to 30 days; the school must place the student in in-school suspension for up to 3 days; and the principal must both call and send written notice to a parent or guardian.

## POLICY 5.60

### 1 ELIGIBILITY FOR PARTICIPATION IN K-12 EXTRACURRICULAR ACTIVITIES

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- 3 1. **Purpose.** -- Extracurricular activities are intended to supplement the regular  
4 curriculum of the school and to provide enrichment opportunities for students. As  
5 important as extracurricular activities are for growth and development of each  
6 student, they must remain supplemental to the student's learning and mastery of  
7 the basic skills in the regular curriculum.
- 8 2. **Equitable Participation**
- 9 a. Principals shall select faculty advisors, directors, coaches, sponsors, and staff  
10 who are diverse in racial, ethnic, and gender composition.
- 11 b. Students shall not be excluded from nor denied positions of leadership in any  
12 extracurricular activity due to race, color, religion, sex, ethnicity, national  
13 origin, age, sexual orientation, gender identity or expression, genetic  
14 information, marital status, parental status, disability, limited English  
15 proficiency, or any other characteristic protected by law. ~~race, national origin,~~  
16 ~~disabilities, sex, marital status, or limited English proficiency, as required by~~  
17 ~~the Florida Education Equity Act,~~
- 18 c. In general, students shall not be denied participation in any activity because of  
19 inability to pay for expenses related to the activity; however, students may be  
20 required to pay for athletic insurance as a prerequisite to participation in  
21 extracurricular activities, and donors such as booster clubs may be  
22 encouraged to assist with insurance expenses for students who have difficulty  
23 covering the cost of such athletic insurance.
- 24 d. Pursuant to Fla. Stat. § 1006.28(3)(b) and Policy 8.1225, a student will be  
25 suspended from participation in extracurricular activities while owing an  
26 obligation after reasonable collection efforts by the principal, for lost,  
27 destroyed, or unnecessarily-damaged instructional materials, unless the  
28 student elects to perform community service hours to satisfy the obligation  
29 pursuant to Policy 8.1225.
- 30 e. The Superintendent or designee shall monitor fair and equitable access to  
31 extracurricular activities for all students as follows:
- 32 i. Students in Grades K-5. -- Elementary school principals will annually  
33 complete a survey of extracurricular activities (instructional and non-  
34 instructional). This survey will be disaggregated by total number of  
35 participants, participants with Exceptional Student Education (ESE),  
36 Limited English Proficient (LEP) students, sex, and race (African-

- 37 American, Hispanic, White and Other).
- 38 ii. Students in Grades 6-8. -- The Superintendent shall establish procedures  
39 to ensure that the eligibility Bylaws of the Palm Beach County Middle  
40 School Activities Association ("PBCMSAA") are enforced. The middle  
41 school principals will annually complete a survey of ten extracurricular  
42 activities (instructional and non-instructional) designated by the  
43 Superintendent. This survey will be disaggregated by number of  
44 participants, participants with Exceptional Student Education (ESE),  
45 Limited English Proficient (LEP) students, sex, and race (African-  
46 American, Hispanic, White and Other).
- 47 iii. Students in Grades 9-12. -- The eligibility Bylaws of the Florida High  
48 School Activities Association ("FHSAA") shall be enforced. The high  
49 school principals will annually complete a survey of ten (10)  
50 extracurricular activities (instructional and non-instructional) designated  
51 by the Superintendent. This survey will be disaggregated by number of  
52 participants, sex, and race (African-American, Hispanic, White and  
53 Other).
- 54 Each school's survey will be submitted by May 30 to the appropriate Area  
55 Superintendent, based on data from the Student Activity Screen (A-26).
- 56 f. By June 15 of each school year, Area Superintendents will submit the survey  
57 results to the Superintendent, along with a written action plan for removing any  
58 apparent barriers to diversity in staff and student participation in extracurricular  
59 activities. If the level of participation of any such category of students is  
60 substantially different from the enrollment proportion of that category, it should  
61 be supportable by a nondiscriminatory explanation.
- 62 g. By June 30 of each year, the Superintendent shall submit a report consistent  
63 with SBER 6A-19.004 to the Board regarding participation in extracurricular  
64 activities at the elementary, middle, and senior high school levels. This report  
65 shall be based on the Area Superintendent's reports and data and include:
- 66 i. District-wide and individual school information regarding data on faculty  
67 advisors, directors, coaches, and sponsors by race, national origin, sex,  
68 LEP, and ESE;
- 69 ii. Data on participation in selected activities by race, national origin, sex,  
70 LEP, and ESE;
- 71 iii. Identification of any barriers regarding equitable selection of diverse  
72 faculty advisors, directors, coaches, and sponsors;
- 73 iv. Identification of any barriers to equitable participation in extracurricular

- 74 activities by students of diverse populations;
- 75 v. Identification of any inequities in extracurricular activities offered at  
76 schools;
- 77 vi. Recommendations for removing any barrier to equitable student  
78 participation in extracurricular activities;
- 79 vii. Recommendations for removing any inequity regarding extracurricular  
80 activities offered at schools; and
- 81 viii. Recommendations for ensuring diversity of faculty advisors, directors,  
82 coaches, and sponsors.

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

- 87 a. Eligibility for each middle-school student shall be limited to three (3)  
88 consecutive years from the time the student first enters grade 6.
- 89 b. To be eligible to compete in interscholastic athletic competition for the first  
90 grading period, a sixth-grade student must be a bona fide student in the  
91 school which he/she represents (unless in home education or a charter-school  
92 student as explained in Section (7) below); must have been regularly  
93 promoted from the fifth grade; and must be carrying a normal class load and  
94 doing satisfactory classroom work with a satisfactory conduct record.
- 95 c. Any middle-school student who has been administratively placed will be  
96 ineligible for the first nine (9) weeks of the placement.
- 97 d. Failure in more than one (1) subject during a given nine-week grading period  
98 shall cause a student to be ineligible for practice and competition during the  
99 following nine-week grading period. In addition, a student must maintain a  
100 grade point average of 2.0 as well as acceptable conduct as determined by  
101 the principal.
- 102 e. A middle-school student will lose eligibility upon reaching the age of 15 years  
103 prior to September 1 of the current school year.
- 104 f. To participate in the first semester of grade 9, a student must have been  
105 promoted from grade 8 during the immediately-preceding school year.

106 4. **Scholastic Eligibility in High School.**-- As stated in Fla. Stat. § 1006.15(3)(a), the  
107 minimum requirements for scholastic eligibility for high school students to

108 participate in interscholastic extracurricular student activities, are as follows:

109 a. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its  
110 equivalent, in the previous semester or a cumulative grade point average of  
111 2.0 or above on a 4.0 scale, or its equivalent, in the courses required for high  
112 school graduation by Fla. Stat. § 1003.43(1).

113 b. Execute and fulfill the requirements of an academic performance contract  
114 between the student, the district school board, the appropriate governing  
115 association, and the student's parents, if the student's cumulative grade point  
116 average falls below 2.0, or its equivalent, on a 4.0 scale in the courses  
117 required by Fla. Stat. § 1003.43(1) or, for students who entered the 9th grade  
118 prior to the 1997-1998 school year, if the student's cumulative grade point  
119 average falls below 2.0 on a 4.0 scale, or its equivalent, in the courses  
120 required by Fla. Stat. § 1003.43(1) that are taken after July 1, 1997. At a  
121 minimum, the contract must require that the student attend summer school, or  
122 its graded equivalent, between grades 9 and 10 or grades 10 and 11, as  
123 necessary.

124 c. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its  
125 equivalent, in the courses required by Fla. Stat. § 1003.43(1) during the junior  
126 or senior year.

127 d. A student who is eligible at the beginning of a semester shall be eligible during  
128 the remainder of the semester, except for lack of attendance, improper  
129 conduct or other valid reasons which may cause the principal to declare the  
130 student ineligible before the end of the semester.

131 e. The student must maintain satisfactory conduct, including adherence to  
132 appropriate dress and other codes of student conduct policies as provided in  
133 Board Policy 5.182 and Sec. 1006.07(2) (d)2, Fla. Stat., as determined by the  
134 principal.

135 i. ~~(In any event, if the student is convicted of, or is found to have committed,~~  
136 ~~a felony or a delinquent act which would have been a felony if committed~~  
137 ~~by an adult, regardless of whether adjudication is withheld, the student~~  
138 ~~should be disqualified from participation in interscholastic extracurricular~~  
139 ~~activities.)~~

140 ii. Any a student violates the dress and other codes of student conduct  
141 policies by wearing clothing that exposes underwear or body parts in an  
142 indecent or vulgar manner or that disrupts the orderly learning  
143 environment, the student shall be disciplined as follows:

144 A. For a first offense, the student shall be given a verbal warning and  
145 the principal shall call the student's parents or guardians.

- 146           B. For a second offense, the student shall be ineligible to participate in  
147 any extracurricular activity for a period of time not to exceed five (5)  
148 days and the principal shall meet with the student's parents or  
149 guardians.
- 150           C. If the student receives a third or subsequent offense for wearing  
151 clothing that exposes the student's body parts or underwear in a  
152 vulgar or indecent manner, in violation of Board Policy 5.182 and  
153 Sec. 1006.07(2)(d)(1), Fla. Stat., the student shall be ineligible to  
154 participate in any extracurricular activity for a period not to exceed 30  
155 days. The school principal shall call and send the parents/guardians  
156 a written letter regarding the student's in-house suspension and  
157 ineligibility to participate in extracurricular activities.

158 **5. General Eligibility Requirements**

- 159           a. Middle school principals are responsible for ensuring that each middle school  
160 participant in interscholastic activities abides by the PBCMSAA Bylaws and/or  
161 the Florida School Music Association ("FSMA") Bylaws. Eligibility is  
162 established at the first school attended as assigned by Student Services.
- 163           b. High school principals are responsible for ensuring that each high school  
164 participant in interscholastic activities, as a representative of his/her school is  
165 eligible to participate under the FHSAA rules. Eligibility is established at the  
166 first school attended as assigned by Student Services. The principal also has  
167 the responsibility of reporting any discovered eligibility irregularities to the  
168 FHSAA, the Area Superintendent, and the Superintendent/designee.
- 169           c. In addition to the FHSAA or PBCMSAA Bylaws, the following rules shall apply:
- 170           i. No student may participate in the interscholastic activities of a school  
171 other than the school to which the student was first assigned for a given  
172 school year **unless** the student:
- 173           A. actually and legitimately resides in the attendance area of the school;  
174 or has a transfer approved by Student Services; or
- 175           B. has been admitted to a magnet/choice school or program pursuant to  
176 the magnet/choice application process (provided that the student  
177 shall become ineligible for sports at the magnet/choice school if  
178 he/she drops out of, or is removed from, the magnet/choice  
179 program); or
- 180           C. transferred to the new school under the Opportunity Scholarships  
181 Program or the McKay Scholarships for Children with Disabilities  
182 Program under Fla. Stat. §§ 1002.38 or 1002.39; or

- 183                   D.   was administratively placed.
- 184                   ii.   Principals shall annually review reassignments.
- 185                   iii.  Any student who is found to have falsified eligibility information shall be  
186                   deemed ineligible to compete in any public school within the School  
187                   District of Palm Beach County for one calendar year from the date the  
188                   falsification is discovered.
- 189                   iv.  The Superintendent, Area Superintendent, principal, coach, or activity  
190                   sponsor may raise questions of eligibility at any time. Any question of  
191                   eligibility shall be presented to the principal of the school where the  
192                   student's eligibility is being questioned.
- 193                   d.   An Interscholastic Eligibility Appeals Committee (IEAC) shall be established to  
194                   review eligibility questions which cannot otherwise be resolved. Neither this  
195                   Policy nor any recommendation from the committee shall be construed as  
196                   waiving applicable FHSAA or PBCMSAA Bylaws or regulations.
- 197   6.   **Clubs and Non-Sports Activities.** The minimum scholastic standards for eligibility  
198                   for competitive interscholastic participation in extracurricular competitive  
199                   interscholastic non-sports activities and clubs will be the same GPA required for  
200                   sports participation by Fla. Stat. 1006.15(3) (a), the FHSAA, and the PBCMSAA.
- 201   7.   **Home Education and Charter School Students.** -- Home educated students are  
202                   governed by the same eligibility regulations as all public school students. "An  
203                   individual home education student is eligible to participate at the same public  
204                   school to which the student would be assigned according to district school board  
205                   attendance area policies or which the student could choose to attend pursuant to  
206                   district or interdistrict controlled open enrollment provisions, . . . in the  
207                   interscholastic extracurricular activities of that school," subject to the conditions in  
208                   Fla. Stat. § 1006.15(3) (c). "An individual charter school student . . . is eligible to  
209                   participate at the public school to which the student be assigned according to  
210                   district school board attendance area policies or which the student could choose to  
211                   attend, pursuant to district or interdistrict controlled open-enrollment provisions, in  
212                   any interscholastic extracurricular activity of that school, unless such activity is  
213                   provided by the student's charter school," subject to the conditions set forth in Fla.  
214                   Stat. § 1006.15(3)(d).
- 215   8.   **Recruiting Prohibited.** -- School District employees are prohibited from recruiting  
216                   students from other schools for any athletic activity, either directly or indirectly, and  
217                   may be subject to disciplinary action, up to and including termination for violation of  
218                   this policy. Any principal who knowingly allows or encourages recruitment from  
219                   other schools will be subject to disciplinary action, up to and including termination.  
220                   Any employee who knowingly and willfully withholds information regarding eligibility  
221                   when questioned by his/her superiors will be subject to disciplinary action, up to





Legal Signoff:

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

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Attorney

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Date