

*Policy 4.43 – Consent Agenda – 06/20/06 – Approve for Advertising*

**4.43 ATHLETICS-INTERSCHOLASTICS**

- A. Schools concerned with interscholastic athletics shall develop policies for the scheduling of games, contracts, transportation, insurance, cheerleader details, broadcasting of games, equipment, teacher responsibility, health, safety, and conduct.
- B. Athletics and other school activities shall be conducted within the framework of regulations governing such contests by the Florida High School Activities Association.
- C. General Policies

1. Participation a Privilege

Participation in interscholastic athletic programs by a student is a privilege, not a right. Students wishing to participate are required by adhere to the uniform minimum standards and maximum limitations set forth in state law, these policies and such policies and regulations that are adopted by the Florida High School Activities Association (hereinafter “FHSAA”).

2. Rationale for Eligibility Standards

Uniform standards and limitations governing eligibility are necessary prerequisite to participation in interscholastic athletics because: (a) they protect the opportunities of qualified students to participate; (b) they ensure competitive equity among member schools; (c) they encourage academic achievement by student-athletes; and (d) they promote the health and well-being of student-athletes.

D. General Definitions

1. Eligibility

Eligibility means the privilege of participating in interscholastic athletics that is attained by complying with all minimum standards and maximum limitations for student-athletes, whether established by Florida Statutes, the FHSAA, adopted by this Board for students in schools under its jurisdiction, or set by an individual school for its own students.

- a. Restricted eligibility means the privilege of participating in interscholastic athletics that is limited to some extent due to an

individual's failure to comply with one or more of the minimum standards and maximum limitations established for student-athletes.

b. Eligible

Eligible means having attained and continuing to retain eligibility. An eligible student-athlete is one who has attained and continues to retain eligibility, whether restricted or not.

c. Ineligible

Ineligible means failing to attain or retain eligibility. An ineligible student-athlete is one who has failed to attain or retain any eligibility.

2. Enrollment

Enrollment means attendance by a student in a class period in a school during the regular school year or participation by the student in an athletic practice at the school, whichever first occurs. The submission of an application or registration to attend a school or the acceptance for attendance at a school does not constitute enrollment in that school. Enrollment requires the physical presence of the student in a class period or at an athletic practice at the school. A student cannot be enrolled in more than one school at any time.

3. Residence

Residence means enrollment and attendance in a school by a student for one calendar year. A student is considered to have residence in the school in which he/she first enrolls upon beginning the ninth grade. If the student transfers attendance to a different school after establishing residence in a school, he/she must establish residence in the new school by attending that school for one calendar year.

4. Parents

Parent(s) means a student's biological parent(s), stepparent(s), adoptive parents(s), foster parent(s), legal guardian(s) as determined by a court or proper jurisdiction, or other adult(s) with whom the student has lived for not less than the previous one calendar year.

5. Calendar Year

A calendar year means 365 consecutive calendar days, except during a leap year when it means 366 consecutive calendar days.

6. School Year

A school year means the 180 school days comprising the fall and spring semesters. Summer school, unless otherwise specifically stated in these policies, is not considered part of the school year.

7. Semester

A semester means one half of a school year, which is approximately 18 weeks or 90 school days.

8. Grading Period

A grading period means one semester, regardless of class scheduling format (i.e., block, traditional, etc.) utilized.

9. School

School means any school in any state, territory or country.

10. Member School

Member school means a school that is a member of the FHSAA.

11. Varsity

Varsity means the highest level of interscholastic athletic competition offered by a school.

a. Sub-varsity

Sub-varsity means any level of interscholastic athletic competition subordinate to varsity that is offered by a school. Sub-varsity includes but is not limited to B-team, junior varsity and freshman programs in 9-12 high schools, as well as middle school programs in K-12 and 6-12 high schools.

E. Residence

1. A student in grades 9 through 12 shall have residence and be eligible to represent the school in which the student first enrolls upon beginning in the ninth grade.

a. Residence, for the purpose of applying the eligibility requirements set forth herein, does not refer to the home of the student but rather to enrollment and attendance by the student for one calendar year in a school. A student automatically establishes residence for his/her four-year limit of high school eligibility in the school in which the student first enrolls upon beginning the ninth grade.

- b. A student in grades 9 through 12 who after having established residence in a school transfers attendance to another school shall be considered a transfer student and shall be required to establish residence in the new school subject to the provisions of Section F. of these policies.
- 2. A home education student who participates in interscholastic athletics pursuant to 4.43E.1. shall have residence and be eligible to represent the school in which the home education student first registers to participate in interscholastic athletics upon beginning the ninth grade or at such time thereafter whenever registration to participate first occurs.
    - a. A student who after having established residence in a school ceases to attend that school and enters a home education program shall be eligible to represent only the school in which he/she last had residence, provided the student was eligible to represent that school at the time he/he ceased attendance.
    - b. A home education student who after having established residence in a school discontinues home education and enrolls in a school other than the school in which he/she had residence shall be considered a transfer student and shall be required to establish residence in the new school subject to the provisions of Section 4.43F.
- 3. A student who attends a charter school that does not sponsor an interscholastic athletics program and chooses to participate in interscholastic athletics at a different school pursuant to 4.43F.1. shall have residence and be eligible to represent the school in which the student first registers to participate in interscholastic athletics upon beginning the ninth grade or at such time thereafter whenever registration to participate first occurs.
    - a. A student who after having established residence in a school ceases to attend that school and enters a charter school that does not sponsor interscholastic athletics shall be eligible to represent only the school in which he/she last had residence, provided the student was eligible to represent that school at the time he/she ceased attendance.
    - b. A charter school student who after having established residence in a school ceases to attend the charter school and enrolls in a school other than the school in which he/she had residence shall be considered a transfer student and shall be required to establish residence in the new school subject to the provisions of Section 4.43F.

#### F. Transfer

- 1. A student who having established residence in a school in grades 9 through 12 transfers attendance to another school shall be restricted to participation on the sub-varsity level until he/she has established residence in the new school by attending that school for one calendar year unless the transfer is in conjunction with a physical joint relocation of the student, his/her parent(s) and other

individual(s) with whom he/she has been living to a new address that makes it necessary for the student to attend a different school.

- a. To be considered a physical joint relocation to a new address, the occupation of the new address by the student, his/her parent(s) and other individuals with whom he/she has been living must be full and complete. The former address must be abandoned, that is vacant, sold, or rented to persons other than any member of the family, and may not be occupied for any purposes at any time by the student, his/her parent(s) or minor sibling(s). Before being deemed eligible by the principal of the school to which he/she transfers, the student and his/her parent(s) must attest in writing to the facts of the relocation and provide documentation that all personal belongings have been moved from the former address, mail is received at the new address, all utilities have been transferred to the new address, and driver's license, voter registration and other forms of legal identification have been changed to the new address. At the time of registration, the school to which the student transfer shall inform in writing the student and his/her parent(s) of the proof required for eligibility and that the school's administration may verify the full and complete relocation by conducting an inspection of the former address, the new address or both. Under no circumstances can a student and his/her parent(s) occupy more than one address for eligibility purposes.
- b. References to "other individual(s) with whom the student has been living" includes minor siblings and, depending on the specific circumstances that assure a full and complete relocation for the student, may include adult siblings, step-siblings, aunts, uncles and grandparents and other who have been a family unit and not merely co-habitants of the same dwelling who have been and remain financially self-sufficient. For the purposes of achieving a full and complete change of address, a "member of the family" who remains at the "former address" shall not be the student's parent(s), sibling(s) under the age of 18 or other family member(s) who is not financially self-supporting. The only family members(s) who remain at the former address must be 18 years of age or older and financially self-supporting.
- c. The need to attend a different school as the result of relocation to a new address must be based on the fact that the student is no longer permitted to attend his/her old school by the district school board because the new address is outside the school's attendance zone.
- d. Should the student transfer in conjunction with a physical joint relocation and then subsequently relocate to another address within one calendar year of that transfer, the student shall be restricted to participation on the sub-varsity level for the remainder of that one calendar year period in the school to which he/she originally transferred, and for one full calendar year in any other school to which he/she transfers as a result of the subsequent relocation.

2. The Board or its designee may waive the provisions of Policy 4.43F. for the benefit of a transfer student when application for such a waiver is made by the principal of the member school to which the student transfers if it is demonstrated to the satisfaction of the Board of its designee that the circumstances surrounding the transfer meet one or more of the following exceptions:

- a. The school to which the student transfers is one to which the student had applied upon initial entry into the ninth grade but was denied admission because the school or special program offered at the school was a capacity, and to which the student has now been accepted due to a vacancy in the school or that same special program offered at the school, provided the student enrolls in the school or special program at the first opportunity.
- b. The school to which the student transfers offers a magnet or other special program that commences in a grade higher than the ninth grade, provided the student applies for, is accepted to and enrolls in the program at the first opportunity.
- c. The school in which the student was enrolled is categorized as a failing school by the Florida Department of Education, provided the school was not categorized as a failing school at the time of the student's enrollment, the transfer is to a school that is not categorized as a failing school, and the transfer occurs at the first opportunity.
- d. The transfer is at the initiative and order of the school board for other than athletic or disciplinary reasons, and was not the result of a request by the student or his/her parent(s). In such cases the student may enroll in the public school to which he/she has been assigned by the school board or in another public or nonpublic school.
- e. The student undergoes a necessary relocation from the home of his/her parent(s) at one address to the home of another individual(s) at a different address that makes it necessary for the student to attend a different school. "A necessary relocation" means that the conditions that cause the relocation are beyond the control of the student and/or his/her parent(s); work an unjust, unfair and unforeseeable hardship upon the student; and are such that none of the parties involved could reasonably have been expected to comply with the provisions of Policy 4.43F.1., et seq.
- f. The student following his/her emancipation by marriage, court order or reaching the age of majority establishes a separate household at a different address that makes it necessary for the student to attend a different school. The student must show proof that he/she has established his/her own household and is not receiving financial support from anyone other than himself/herself. If under the age of 18, the

student also must provide a copy of the emancipation order issued by the court.

- g. The student is a ward of the court or state and is required to relocate to a new address that makes it necessary for the student to attend a different school. A certified copy of the court order, together with a copy of the petition upon which the order was based and other evidence the court had to consider in issuing that order must be provided. Temporary guardianship that is granted without approval of a court does not fulfill this requirement.
  - h. The student who after attending a public school attends a private school, and because of a financial hardship beyond the control of the family, is no longer able to afford the tuition and must transfer his/her attendance to a different school. The student or his/her family must provide proof that the change in the family's financial status has occurred since the student's enrollment in the private school and is significant enough to clearly demonstrate that the tuition cost of the school is no longer affordable. The student or his/her family further must provide proof that they have applied for and been denied financial assistance or show good cause as to why they did not apply for such assistance. Tuition increases in and or themselves are not considered a financial hardship.
  - i. The home education cooperative in which the home-educated student participated is dissolved and the home education student registers to participate at another home education cooperative or school.
  - j. The principals of both the student's old and new schools, provided both schools are in the Clay County School District, certify that the transfer in their opinion is in the best educational interest of the student, is not motivated by reasons relating to athletic participation or disciplinary action, and is not the result of recruitment.
  - k. The student is the child or dependent of an employee of the school district and, as such, is entitled to school choice.
3. An application for waiver of Policy 4.43F. shall be made on a form provided for this purpose by the School Board. The form must be initiated and signed by the principal of the district school to which the student transfers, must indicate the exception(s) under which the waiver is being requested, must describe the circumstances surrounding the transfer, must be signed by the principal of the school last attended by the student, and must be submitted along with any supporting documentation to the School Board designee for his/her approval. A waiver is not granted until the form, fully executed by the principals of both schools, is reviewed and approved in writing by the School Board designee, and is on file in the office of the member school to which the student transfers.

a. A principal should not consent to an application for waiver of when he/she has evidence that reasonably leads him/her to believe that the student's transfer is motivated by reasons relating to athletic participation or disciplinary action, or is the result of recruitment. A transfer "motivated by reasons relating to athletic participation" is defined as, but not limited to:

- 1) The student or his/her parent(s) is dissatisfied with the student's position on the team or the amount of playing time that he/she receives;
- 2) The student or his/her parent(s) is dissatisfied with a coach at either a personal or professional level;
- 3) The student or his/her parent(s) is seeking relief from conflict with the philosophy or action of an administrator, teacher or coach relating to sports;
- 4) The student or his/her parent(s) is seeking to avoid punitive action by the student's old school relating to athletic eligibility;
- 5) The student follows his/her coach to another school to which the coach has relocated during the preceding one calendar year;
- 6) The student is seeking to participate with teammates or coaches with whom he/she has participated in non-school competition during the preceding one calendar year;
- 7) The student or his/her parent(s) desires that the student play on a less successful or lower profile team in order to be ranked high among the players on that team; or
- 8) The student or his/her parent(s) desires that the student play on a more successful or higher profile team to gain a higher level of competition and/or more exposure to college or professional scouts.

b. Eligibility is not determined nor is the Board or its designee bound by the action taken by either or both principals signing the application for wavier. The Board or its designee instead shall have the discretion to investigate the accuracy of the application and to approve or deny the waiver based solely on the findings of his/her investigation.

4. The Board or its designee may grant a wavier of Policy 4.43F., et seq., for the benefit of a student only one time during that student's four-year limit of eligibility and then only when the facts are clear, undisputed and supported by appropriate documentation. The Board or its designee shall have broad discretion in applying the conditions of the exceptions under which he/she may grant a waiver to specific cases and shall take into consideration not only



the needs of the student involved, but also the best interest of all students in all Clay District schools and the total interscholastic athletic program in general as he/she understands those interests. Should the Board's designee deny an application for waiver, the school making the application upon request of the student may appeal the decision to the Board or request an undue hardship hearing by filing a written request with the District School Superintendent.

5. A foreign exchange student who attends a district school under the auspices of a foreign exchange program approved by the Board is a transfer student and shall be restricted to participation on the sub-varsity level for a maximum period of one calendar year commencing with the date of the student's first enrollment in any U.S. school.

6. A transfer student shall become eligible to represent his/her new school on the sixth day following the date of his/her enrollment in that school, provided the principal of the school has received an official written transcript from the school from which the student transferred and has verified that the student meets all eligibility requirements.

a. A transfer student for whom an official written transcript cannot be obtained shall not be eligible until he/she has attended his/her new school for one full semester, established a grade point average that satisfies the academic requirements of the Board, and been submitted to the Board designee for approval. The principal of the school in seeking approval of the student's eligibility shall document the student's name, his/her date of enrollment, the inclusive dates of the previous semester, and shall provide an explanation as to why an official written transcript could not be obtained.

b. The principal of a district school shall verify the eligibility of a student who has transferred to another district school when requested to do so by the principal of that school.

#### G. Interpretation

For purposes of interpretation of these policies, the term "interscholastic athletics" shall include cheerleading, dance teams, football, baseball, volleyball, soccer, golf, softball, tennis, wrestling, track and field, cross-country, basketball, and any other individual or team sport or form of physical competition.

#### H. Board Designee

The "Board designee" shall be a committee consisting of one member of the School Board, the Assistant Superintendent of Instruction, the Director of Secondary Education, the Director of Student Services, and one high school principal. The Superintendent of Schools shall appoint three high school principals who will rotate on a per case basis participation as the designee on the committee. No principal can participate as the committee member when the interests of his/her school will be

directly affected by the committee's decision. Principal appointments for committee participation shall be for staggered one-year periods.

(Ref. F.S. 1001.42)(Adopted: 01/08/81, Amended: 00/00/00)