

Office of School Board Attorney
Walter J. Harvey, School Board Attorney

SUBJECT: **FINAL** **READING: TO AMEND POLICY 2431, *INTERSCHOLASTIC ATHLETICS***

COMMITTEE: **PERSONNEL, STUDENT, SCHOOL & COMMUNITY SUPPORT**

LINK TO STRATEGIC PLAN: **SAFE, HEALTHY, & SUPPORTIVE LEARNING ENVIRONMENTS**

At its regular Board Meeting of April 13, 2022, the School Board approved Agenda Item H-7, Amendment to School Board Policy 2431, *Interscholastic Athletics*, sponsored by Vice-Chair, Dr. Steve Gallon, III, which authorized the Superintendent to initiate rulemaking proceedings to amend Board Policy 2431. The amendments to Policy 2431 are recommended to clarify that membership in the Florida High School Athletic Association (FHSAA) is not mandatory for any school.

The amendments to Policy 2431 clarify that individual Miami-Dade County Public School high schools *may* become members of and be governed by the FHSAA. If a school is an FHSAA member, all students in the school are required to comply with the FHSAA eligibility rules. The amendments clarify that the Board may support the FHSAA's program through policy and principles and that the Greater Miami Athletic Conference (GMAC) will manage all athletic events in the District in accordance with any applicable policies.

The policy amendments were drafted in collaboration with, and reviewed by, the Superintendent, Cabinet, and District staff.

The Notice of Intended Action was published in the Miami Daily Business Review on May 23, 2022 and posted in various places for public information and mailed to various organizations representing persons affected by the adopted and amended Board policy and individuals requesting notification. The time to request a hearing or protest the adoption and amendment of these policies has elapsed.

The Notice of Intended Action and proposed policy with ~~strike-throughs~~ and underlines are attached.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, amend Board Policy 2431, *Interscholastic Athletics* and authorize the Superintendent to file the policy with The School Board of Miami-Dade County, Florida, to be effective June 22, 2022.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on May 18, 2022, its intention to amend Board Policies 2431, *Interscholastic Athletics*, at its regular meeting on June 22, 2022.

PURPOSE AND EFFECT: The policy amendments are proposed to align the policy to Florida Statutes, Section 1006.20(1).

SUMMARY: The proposed amendments to Policy 2431, *Interscholastic Athletics*, clarify that individual Miami-Dade County Public School high schools *may* become members of and be governed by the FHSAA. If a school is an FHSAA member, all students in the school are required to comply with the FHSAA eligibility rules. The amendments clarify that the Board may support the FHSAA's program through policy and principles and that the Greater Miami Athletic Conference (GMAC) will manage all athletic events in the District in accordance with any applicable policies.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: Sections 1001.41 (1), (2), Fla. Stat.

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: Section 1006.20(1), Fla. Stat.

IF REQUESTED, A HEARING WILL BE HELD DURING SCHOOL BOARD MEETING OF June 22, 2022, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided in Section 120.54(1), Fla. Stat., must do so in writing by June 15, 2022, to the Superintendent, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by the School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Fla. Stat.)

COPIES OF THE PROPOSED NEW POLICY are available at cost to the public for inspection and copying in the Citizen Information Center, Room 102, 1450 N.E. Second Avenue, Miami, Florida 33132.



Book	Policy Manual
Section	June 22, 2022 - <u>Final</u> Reading
Title	INTERSCHOLASTIC ATHLETICS
Code	2431
Status	<u>Final</u> Reading
Adopted	May 11, 2011
Last Revised	April 25, 2018

2431 - INTERSCHOLASTIC ATHLETICS

The District's program of interscholastic athletics shall include all activities relating to competitive sport contests, games, or events involving individual students or teams of students from high schools in this District with those from a high school in another district. Middle school/K-8 center athletic teams may not play out-of-county or against out-of-county teams within the county. All students shall be permitted to select their own school team sports activities without duress or interference by any employee.

All high schools ~~may become shall be~~ members of and ~~be~~ governed by the Florida High School Athletic Association (FHSAA) rules and regulations.

All high school students ~~in FHSAA-member schools~~ shall comply with the eligibility requirements established by the FHSAA ~~and/or other applicable member association~~. The School Board may adopt more stringent rules of eligibility to be met by all students participating in the interscholastic program, including but not limited to requirements that each student be in good physical condition, be free of injury, and have fully recovered from illness before participating in any interscholastic athletic event. Individual verification will be done at the school site.

There shall be no organized program of interschool competition of a varsity pattern for elementary school children in any activity. Boxing, tackle football, and other body contact sports shall not be included in any program for children in the elementary schools.

No student shall be excused from a class or supervised study for an extended period of consecutive days to participate in interscholastic athletics.

The Superintendent shall develop appropriate administrative procedures for the operation of the athletic program which provide:

- A. the District shall assume no liability for any student with a health condition who has been authorized to play by the parents and their physician;
- B. any student who incurs an injury requiring a physician's care is to have the written approval of a physician prior to the student's return to participation;
- C. in order to minimize health and safety risks to student-athletes and maintain ethical standards, school personnel, coaches, and athletic trainers should never dispense, supply, recommend, or permit the use of any drug, medication, or food supplement solely for performance-enhancing purposes;
- D. the Superintendent is to ensure that sportsmanship, ethics, and integrity characterize the manner in which the athletic program is conducted and the actions of students who participate.

In order to support the FHSAA's program to strengthen sportsmanship, ethics, and integrity, the Board ~~may shall~~:

- A. adopt policies (upon recommendation of the administration) which reflect the District's educational objectives and promote the ideals of good sportsmanship, ethics, and integrity;
- B. reinforce the concept that participation in athletic activities are a privilege, not a right;

- C. attend and enjoy school athletic activities, serving as a positive role model and expecting the same from parents, fans, participants, coaches, and other school personnel;
- D. support and recognize participants, coaches, school administrators, and fans who display good sportsmanship;
- E. recognize the value of school athletic activities as a vital part of education.

Regulations to be observed by school personnel are found in the Interscholastic Athletic Manual and in the Middle Schools and K-8 Centers Program Administrative Athletic Procedures Manual, and are on file in the Office of Board Recording Secretary, the Citizen Information Center, and the Office of the Board Clerk.

The Division of Athletics/Activities and Accreditation shall:

- A. provide the schools with consistent, unified leadership in their athletic programs.
- B. provide athletic opportunities to all high school and middle school students.
- C. develop and recommend policies for Board consideration **that which** will continue the development of athletics within the overall educational program.
- D. carry out and administer the Board's policies through the Office of the Superintendent.
- E. interpret Board policy to the extent necessary to provide guidance for schools in areas not specifically covered by policy.
- F. provide the management leadership on a countywide basis to enable all students to develop their individual athletic capabilities and receive maximum benefit from balanced, well-managed, and well-operated athletic programs.

Greater Miami Athletic Conference (GMAC)

Other than Christopher Columbus High School, non-public schools shall not be permitted to become members of the GMAC.

The Executive Committee of the GMAC shall consist of: president, first vice president, second vice president, immediate past president, two (2) delegated principals (north and south), two (2) delegated athletic directors (north and south), an FHSAA board representative, a representative of the secondary principals group, and four (4) members-at-large. The Administrative Director of the Division of Athletics/Activities and Accreditation and the GMAC Executive Secretary serve as non-voting, ex-officio members. Two (2) members from the same school may not serve on the executive committee at the same time.

The executive secretary shall be responsible for supervision of the high school athletic program as prescribed in the bylaws, standing rules, and policies of the GMAC, and shall be the executive officer of this conference.

The Administrative Director of the Division of Athletics/Activities and Accreditation shall:

- A. administer a special trust fund shall to aid schools in financial distress by assessment of each GMAC member school, on a one-time basis, an amount not to exceed \$1,000. The exact amount of assessment will be determined by the Administrative Director of the Division of Athletics/Activities and Accreditation based on the number of sports offered at an individual school.
- B. develop procedures for distribution and repayment. Should the fund fall below a reasonable level, each school will be notified of the additional assessment and will issue a check made payable to the Greater Miami Athletic Conference where the special trust fund is maintained.
- C. develop and enforce special directives as shall be necessary to provide uniform policy within the District and to ensure an effective athletic program in the various senior high schools.
- D. standardize the operations of the athletic departments in all high schools.
- E. manage all athletic events in the District, within the policies of the GMAC, FHSAA, and Board policies, **as applicable**.
- F. help all schools to develop their athletic capabilities.
- G. help develop realistic athletic budgets.

Interscholastic Athletic Eligibility

The following conditions apply to athletic eligibility for all senior high school students commencing with the successful completion of the eighth grade as defined by Policy 5410, Student Progression Plan. These requirements are in addition to all academic and

conduct eligibility requirements contained in Board Policy 5845, Student Activities, Board Policy 5500, Student Conduct and Discipline, and those of the FHSAA and the GMAC Bylaws.

In accordance with State law, "eligibility to participate" includes, but is not limited to, participating in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contest.

In accordance with State law, students granted transfers in accordance with applicable eligibility and transfer policies shall be immediately eligible to participate in high school athletic programs at the new school. However, a student may not participate in a sport if the student participated in that same sport at another school during that school year (mid-season transfer), unless the student meets one (1) of the following criteria:

- A. dependent children of active military duty personnel whose move resulted from military orders;
- B. children who have been relocated due to a foster care placement in a different school zone;
- C. children who move due to a court ordered change in custody due to separation or divorce, or serious illness or death of a custodial parent; or
- D. is otherwise authorized only under the following good cause circumstances:
 1. students who have fully and completely moved to a new residence in Miami-Dade County from another Florida county or another state;
 2. students who are involuntary reassigned by the Board during the school year to a different school for reasons other than athletic or disciplinary;
 3. students who transfer within the first twenty (20) days of the school year to magnet schools or programs that are subject to specific admissions requirements and/or random lotteries that are governed by Policy 2370, Magnet Programs/Schools;
 4. all good cause mid-season transfer eligibility requests must be reviewed and approved by the Superintendent's Athletic Eligibility Transfer Review Committee (AETRC) prior to engaging in athletic participation

Students enrolled in home education, virtual school or a charter school are eligible to participate in a District interscholastic sport at the public school to which the student would be assigned according to Policy 5120 or Policy 5131 (home school or controlled open enrollment) and must fulfill the same academic and nonacademic requirements as any other participant under state law and Board policy. Home education students must also fulfill the Florida home education requirements.

Students enrolled in non-FHSAA member private schools consisting of 125 students or fewer are eligible to participate in a District interscholastic sport at the public school to which the student would be assigned according to Policy 5120 or Policy 5131 (home schools or controlled open enrollment) and must fulfill the same academic and nonacademic requirements as any other participant under state law and Board policy.

Any student or parent who is found to have falsified enrollment, transfer, or eligibility information shall be declared athletically ineligible to participate for at least one (1) full calendar year from the date of discovery of the violation or as otherwise determined by the AETRC.

The AETRC consists of one (1) District-level administrator, three (3) senior high school principals, three (3) senior high school athletic directors, one (1) representative from the District Athletic Advisory Committee, and an administrator from the Division of Athletics/Activities and Accreditation, who serves as an ex officio member. The AETRC shall review all requests for mid-season transfers based on good cause as defined in this policy. The Committee will meet at least once a month. All AETRC decisions regarding athletic eligibility that are reviewed by the AETRC will be forwarded to the Region Superintendent and principal of the affected schools for information purposes. AETRC decisions are final.

A student receiving any type of transfer into a senior high school must abide by all State laws, the FHSAA and GMAC Bylaws, and applicable Board policies pertaining to athletic eligibility, as may be applicable.

Violations of the transfer policy with regard to athletic eligibility may result in forfeiture of athletic contest(s), fines, and/or probation. Penalties to be assessed will be determined by the Director of the Division of Athletics/Activities and Accreditation and Executive Secretary, GMAC.

The principal shall be responsible for control of the athletic programs, coaches, booster groups, and student athletes.

A student's eligibility to participate in any interscholastic athletics and/or extra-curricular activity may not be affected by any alleged recruiting violation until final disposition of the allegation pursuant to F.S. 1006.20.

In accordance with State law, students who are permitted to participate in interscholastic and/or extra-curricular activities at a public school in which they are not enrolled are subject to the Board's Code of Student Conduct for the limited purpose of establishing and maintaining the student's eligibility to participate in the school-related function. These students must comply with the specific requirements contained in F.S. 1006.15 that govern their particular circumstances.

Effective 7/1/11
Revised 3/15/17
Revised 4/25/18

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Legal	F.S. 1002.20
	F.S. 1006.07
	F.S. 1006.08
	F.S. 1006.09
	F.S. 1006.15
	F.S. 1006.18
	F.S. 1006.195
	F.S. 1006.20