# TEA&UIL

# SIDE by SIDE

*For the 2016-17 school year*

## *Eligibility for Extracurricular Activities*

(Revised July 2016)

University
Interscholastic
League

# Purpose

• UIL publishes this document to provide member schools notice of Texas Education Agency regulations which relate to UIL and all other extracurricular activities sponsored or sanctioned by the school district. Texas Education Agency staff does not answer questions for UIL activities concerning the issues set forth in this document. That authority was delegated to the UIL by the Commissioner of Education effective June 1, 1994. This document provides explanations and interpretations of SBOE rules, Commissioner of Education rules, UIL *Constitution and Contest Rules* and statute. There are numerous interpretations of statute and rules that are continually under review. In some instances, further review of an issue due to additional information or unusual circumstances may result in a modified response, depending on the individual case. Local district officials may impose stricter standards than those cited in rule or statute, but shall not impose more lenient standards.

# Distribution of this document

• This material should be made available to elementary, middle school and junior high school principals, to counselors, UIL academic coordinators and sponsors/coaches, directors of UIL music activities and one-act play, and athletic administrators, coaches, and others who sponsor extracurricular activities. You can either duplicate the material or inform your staff how to access it via the UIL web site. The UIL web site is the best source for the most recent changes. The UIL *Constitution and Contest Rules* may also be found on the UIL web site.

# Who to call

For questions regarding UIL activities, you may contact the following:

- Policy: Dr. Jamey Harrison, Leo Barnes, J.D., & Dr. Kevin Jones; info@uiltexas.org
- Compliance: Dr. Mark Cousins, Director of Compliance; info@uiltexas.org
- Athletics: Dr. Susan Elza, Director of Athletics; athletics@uiltexas.org
- Music: Dr. Bradley Kent, Diretor of Music; music@uiltexas.org
- Academics: Dr. David Stevens, Director of Academics; academics@uiltexas.org

Please do not call the Texas Education Agency, as the Commissioner of Education has instructed Agency staff to refer calls to UIL. For questions related to stock shows, FFA, 4-H, FHA and other career/technical student organizations, refer to “Other Non-UIL Activities.” If you still have questions, contact the Texas Education Agency at 512-463-9734.

# Compliance

• Please remember that all participants in school extracurricular activities must comply with TEA provisions cited within this document. For other activities sanctioned by the school district, see the section titled “Other Non-UIL Activities.”

# Table of Contents


## 3-8 Academic Requirements (No Pass No Play)

3 • Eligibility for UIL Participants for the First Six Weeks
• Eligibility for All Extracurricular Participants after the First Six Weeks of the School Year
4 • Semester Grades
• Identification of Honors Courses under TAC §74.30
5 • Exempting Locally Adopted Honors Classes
• Refusing to Exempt Students Who Fail Honors Classes
• Dropping a Course Eligible for Exemption
• Dropping a Class with a Failing Grade
• Physical Education Credits
• Elementary/Junior High Subject to No Pass No Play
• Credit for Summer School, Correspondence Courses, or Credit by Exam
• Holding Back Seventh and Eighth Graders
• Impact of Student Success Initiative on Eligibility
6 • Entering Grade Nine at Second Semester
• Special Education Students
• Regaining Eligibility Through the School Year
• Reporting Ineligible Students on Eligibility Blanks
• Regaining Eligibility at 3-Week Evaluation Period
• TAKS Review Courses
• Incomplete Grade
7 • Changing Grades for Eligibility Purposes
• College Courses
• Minimum Attendance Requirements
• Determining Grading Requirements
• Social Functions
• Travel by Ineligible Students Prohibited
• Participation in Scrimmages
• Travel on School Designated Educational Trips
• Ineligible Students Prohibited from Assisting with Activities
8 • Grading Based on Participation in Activities
• Parent Night Activities
• Pep Rallies
• Parades
• Athletic Classes Scheduled Outside the School Day
• Participation in Activity without Enrolling in Class
• Time Allowed for Practice

## 8-9 Admission

8 • Homeless Students
• Eighteen Year Old Students
8-9 • Public Education Grant Transfers

## 9-11 Enrollment Requirements

9 • Number of Classes Required to Be a Full-time Student
• College Courses
10 • Junior High Students Enrolling in High School Classes
• Alternative Setting for Behavorial Management
10-11 • Students Who Enroll After First Six Weeks
• Athletic Periods
• Marching Band Periods

## 12-15 Limits on Practice and Performance

12 • Commissioner of Education Regulations Limiting Contests Per School Week
• Activities Preceding Administration of Statewide Student Assessment Program
• Eight Hour Limitation
• Practice by Ineligible Students
14 • UIL Regulations Limiting Contests Per Calendar Week
• Sunday Prohibition and Exceptions
14 • School Attendance on Day of Contest
• Make-up Days Affect School Week Limitation
• Unrelated Activities Treated Separately
• UIL Academic Spring Meet Considered Tournament
• Rules Governing Activities During School Week and School Day
• Activities During Finals Week
• Band Contests vs. Band Performances
• Missing Class for Practice Post-District Activities

## 15 Definition of Extracurricular Activities

## 16 Extracurricular Absences

## 16-17 First Aid/CPR/AED Certification Requirement

## 17-18 Cheerleading and Drill Teams

17 • Try Outs/Selection Procedures
• Family Education Right to Privacy Act (FERPA)
• One Contest Per School Week
• Try Outs by Ineligible Students
18 • Practice During School Day, Non-Class Time
• Practice During Class Time
• Enrollment in Two Physical Education Classes
• Participation in Pep Rallies
• Early Dismissal for Pep Rallies
• Travel to Competitive Activities
• Travel to Educational Field Trips

## 18-20 Other Non-UIL Activities

18 • Absences for Participation in Non-School Sponsored Activities
• Participation While Failing a Course
• Suspension Periods for Non-UIL or Non-School Sponsored Activities
• High School Graduates' Participation
• Showing Livestock of Ineligible Students
• Preparation of Animals by Ineligible Students
• Sale or Auction Considered Extracurricular Activity
• Absences for Post-district Competition
20 • Calf Scrambles
• Penalty for Participation by Ineligible Students

## 20-21 Examples of Eligibility Dates Related to School Holidays for 2014-15

# Academic Requirements (No Pass No Play)

## • Eligibility for UIL Participants For The First Six Weeks

UIL participants are eligible to participate in contests during the first six weeks of the school year provided the following standards have been met:

- Students beginning grades nine and below must have been promoted from the previous grade prior to the beginning of the current school year.
- Students beginning their second year of high school must have earned five credits which count toward state high school graduation requirements.
- Students beginning their third year of high school either must have earned a total of ten credits which count toward state high school graduation credits or have earned a total of five credits which count toward state high school graduation requirements during the 12 months preceding the first day of the current school year.
- Students beginning their fourth year of high school either must have earned a total of 15 credits which count toward state high school graduation credits or have earned a total of five credits which count toward state high school graduation requirements during the 12 months preceding the first day of the current school year.

• Exceptions:

(a) When a migrant student enrolls for the first time during a school year, all criteria cited above applies. All other students who enroll too late to earn a passing grade for a grading period are ineligible.

(b) High school students transferring from out-of-state may be eligible the first six weeks of school if they meet the criteria cited above or school officials are able to determine that they would have been eligible if they had remained in the out-of-state school from which they are transferring.

Students who are not in compliance with these provisions may request a hardship appeal of their academic eligibility through the UIL state office.

Local school boards may elect to adopt these standards for all activities in order to avoid having different standards for student participants (e.g., football, drill team, cheerleading, and all other extracurricular activities as defined by Commissioner of Education rule [19 TAC Chapter §76]).

## • Eligibility for All Extracurricular Participants After First Six Weeks of the School Year

A student who receives, at the end of any grading period (after the first six weeks of the school year), a grade below 70 in any class (other than an identified class eligible for exemption) or a student with disabilities who fails to meet the standards in the Individual Education Plan (IEP) may not participate in extracurricular activities for three school weeks. An ineligible student may practice or rehearse, however. The student regains eligibility after the seven calendar day waiting period has ended following a grading period or the three school week evaluation period when the principal and teachers determine that he or she has earned a passing grade (70 or above) in all classes, other than those that are exempted.

All schools must check grades for all participants at the end of the first six weeks of the school year. From that point, grades are checked at the end of the grading period whether it is six, nine, or twelve weeks in length. Students who pass remain eligible until the end of the next grading period. All activity coaches and directors are responsible for obtaining official grade reports from the individual the principal designates as the keeper of official grades before the student represents the school. This provision applies to all grading periods. It also applies to all three-school week evaluation periods for ineligible students.

- All students are academically eligible during a school holiday of a full calendar week or more. When the bell rings to dismiss students for the December holidays, all students are academically eligible until classes resume in January. The same is true for summer recess and fall and spring breaks provided those breaks consist of at least a full calendar week. (See example at the end of this document.)
- Students in year-round schools are academically eligible during inter-sessions.
- If a grading period or three school week evaluation period ends on the last class day prior to a school holiday of one calendar week or more (e.g. spring break, winter holidays), the seven calendar day grace period to lose eligibility and the seven calendar day waiting period to regain eligibility begin the first day that classes resume.
- Students lose eligibility for a three school week period. For purposes of the law, “three school weeks” is defined as 15 class days. Exception: One, but only one of the three school weeks may consist of only three or four class days, provided school has been dismissed for a scheduled holiday period. Two class days does not constitute a “school week” for purposes of this law except Thanksgiving week if schools are on holiday Wednesday, Thursday and Friday. A school district may request an exception from UIL officials to the two day school week in the event of a disaster, flood, extreme weather condition or other calamity as listed in TEC §42.005. In the event two of three school weeks are shortened, one of the

shortened weeks may be counted as five days with ten other actual class days making up the fifteen class days. After the first six weeks of the school year, academically ineligible students in schools with six week grading periods have one opportunity to regain eligibility after the first three school weeks of the grading period; students in a nine week grading period have two opportunities, one at the end of the first three school weeks and one at the end of the first six school weeks. Students who fail to regain eligibility at the evaluation periods remain ineligible until seven calendar days after passing a grading period.

- Note: When computing eligibility calendars, it is helpful to remember that the seven day grace period after the grading period also contains school week one of the three school week evaluation period. Also, a seven calendar day grace and waiting period is always applicable after grading periods and evaluation periods.

Example: School week ends on Friday - Students who are losing eligibility have a seven calendar day grace period, and students who are regaining eligibility have a seven calendar day waiting period. Eligibility is lost or regained the following Friday at the time the regular school day ends or would end if that day is a holiday.

Section 5 (b) of the UIL *Constitution and Contest Rules* defines calendar week as 12:01 am on Sunday through midnight on Saturday.

19 TAC §76.1001 (b) states: The school week is defined as beginning at 12:01 am on the first instructional day of the calendar week and ending at the close of instruction on the last instructional day of the calendar week, excluding holidays.

## • Semester Grades

When students are enrolled in accelerated classes which grant them the opportunity to earn credit during nine school weeks and the school is using a nine week grading period and considers the semester to be nine weeks in length, eligibility may be determined by the cumulative report grade for the nine weeks since the nine weeks also constitutes a grading period, or schools may use a cumulative grade up to the final exam for the purposes of determining eligibility.

This is not intended to permit schools to select one method for some students and another method for others. School officials must decide which method they are going to use and apply it to eligibility for all students within that specific school.

Schools with traditional six week grading periods and 18 week semesters must continue to use the third six weeks grade of the first semester to determine eligibility since the law requires eligibility to be based on the previous grading period during the school year.

## • Identification of Honors Courses under TAC §74.30

(a) The following are identified as honors classes as referred to in the Texas Education Code, §33.081(d)(1), concerning extracurricular activities:
  (1) all College Board advanced placement courses and International Baccalaureate courses in all disciplines;
  (2) English language arts: high school/college concurrent enrollment classes that are included in the “Community College General Academic Course Guide Manual (Part One)”;
  (3) Languages other than English: high school/college concurrent enrollment classes that are included in the “Community College General Academic Course Guide Manual (Part One),” and languages other than English courses Levels IV-VII;
  (4) Mathematics: high school/college concurrent enrollment classes that are included in the“Community College General Academic Course Guide Manual (Part One)” and Precalculus;
  (5) Science: high school/college concurrent enrollment classes that are included in the “Community College General Academic Course Guide Manual (Part One)”; and
  (6) Social studies: Social Studies Advanced Studies, Economics Advanced Studies, and high school/college concurrent enrollment classes that are included in the “Community College General Academic Course Guide Manual (Part One).”

(b) Districts may identify additional honors courses in the subject areas of English language arts, mathematics, science, social studies, economics, or a language other than English for the purpose of this section, but must identify such courses prior to the semester in which any exemptions related to extracurricular activities occur.

(c) Districts are neither required to nor restricted from considering courses as honors for the purpose of grade point average calculation.

**The courses referenced in section (b) above do not have to be submitted to the University Interscholastic League. They may be maintained at the local school district level.**

It is important to remember that school districts may voluntarily impose stricter standards than those cited in this document.

Questions and/or requests for additional information should be directed to the UIL Office: info@uiltexas.org

## • Q&A •

1. ***May a school district exempt locally adopted honors classes for No Pass No Play purposes for eighth grade and below?*** Yes. It is not necessary to send a list of these classes to the UIL.

2. ***Do school officials have the authority to refuse to exempt students who fail honors classes referenced in this document?*** Yes. Local districts may adopt more stringent rules.

3. ***If a student drops a course eligible for exemption with a grade lower than 70, is the student ineligible?*** No. Dropping an honors class with a failing grade does not cause loss of eligibility because the class is exempt from No Pass No Play, unless the school has adopted a more stringent policy than state law or full-time status is affected.

4. ***Is Pre-AP Pre Calculus a course that is eligible for exemption from No Pass No Play?*** Not automatically. Pre-AP Pre Calculus is not listed as a course that can be automatically exempt from No Pass No Play provisions. In order for Pre-AP Pre Calculus to be eligible for exemption it must be identified by the school district as an honors course as explained in TAC 74.30.

## • Dropping a Class with a Failing Grade

A student may not drop a class in which he/she has a grade below 70 after the end of the first four school weeks of the class without it being considered a failing grade for eligibility purposes.

Dropping an honors class which is exempted for No Pass No Play does not cause loss of eligibility at anytime unless full-time status is affected or the school has adopted a more stringent policy. Dropping a non-honors class with a grade lower than 70 at the end of a grading period causes a student to lose eligibility until seven calendar days after the end of the three school week evaluation period.

Dropping a non-honors class after the fourth week into the course with a grade lower than 70 causes the student to lose eligibility at the end of the grading period for the next three school week evaluation period. It is important to remember the following points:

• A school may have more stringent rules.

• Local school district policy determines how the drop is recorded for official transcript purposes. Dropping a class could cause a student to lose eligibility under the full-time student requirement. If the drop causes the student to be in class less than four hours per day, see #1, under “Enrollment Requirements.”

## • Q&A •

1. ***How many physical education credits may be counted in the credit requirements for academic eligibility the first six weeks of the school year?*** Students may count only credits that may be applied toward state graduation requirements. Students are required to take one (1) unit in Physical Education (PE) toward state graduation requirements, but may take additional PE credits as electives. Therefore, students can count no more than two (2) PE credits toward the 5, 10, or 15 credits they must have earned.

2. ***Are elementary/junior high students subject to No Pass No Play provisions?*** Yes. State law for eligibility applies to all grade levels for extracurricular activities. In the case of UIL activities, a student who is retained for any reason in grades 8 is not eligible for the first six weeks of the following school year. A student who is academically promoted due to summer school courses or credit by examination (TEC §28.023) regains eligibility for the first six weeks of the school year. For non-UIL activities, check local district policies.

3. ***May students earn credits in summer school, correspondence courses, or credit by exam to meet requirements for extracurricular eligibility?*** Yes. Credits earned prior to the first day of the school year in summer school classes, in correspondence courses, or for passing credit by examination may be used to determine eligibility for extracurricular activities.

4. ***Are 7th and 8th grade students eligible to participate in UIL activities the first six weeks of the school year if they were held back on parental request for reasons involving the student’s emotional, psychological, or social development, even though the student has passed all subjects and would otherwise have been promoted?*** No. These students are ineligible for the first six weeks because they were not promoted from one grade level to the next. A student held back one year in the 7th or 8th grade for athletic purposes shall lose the fourth year of eligibility after entering the 9th grade. A student held back for two years for athletic purposes shall lose the third and fourth years of eligibility after entering the 9th grade. One of the determining factors used in determining why a student repeats grades is an examination of the student’s grades. Parents should be notified that it is likely that their child will be subject to the consequences listed above if the student was ready to be academically promoted.

5. ***What is the Student Success Initiative (SSI) and how does it impact academic eligibility for the first six weeks of the school year?*** Enacted by the 76th Texas Legislature in 1999 and amended in the 81st session in 2009 to include an accelerated instruction provision, the Student Success Initiative (SSI) grade advancement requirements apply to the STAAR reading and mathematics tests at grades 5 and 8. As specified by these requirements, a student may advance to the next grade level only by demonstrating proficiency on these tests or by completing all accelerated instruction required by the grade placement committee (GPC), and having the GPC determine, by unanimous decision, that the student is likely to perform at grade level at the end of the next school year given additional accelerated instruction during the course of the year. To assist districts and charter schools in meeting the accelerated instruction provision after the third administration of the test, TEA is allowing districts and charter schools to apply for an expedited waiver to adjust the timeline for providing accelerated instruction to students who fail the third administration. If you have questions or need further clarification about this information, please contact the Student Assessment Division or the State Waiver Unit at TEA.

The GPC would determine if a student advanced for purposes of academic eligibility for the first six weeks of the school year under No Pass, No Play requirements. If the GPC advances the student to the next grade on or after the first day of school, the student in question is academically ineligible for the first six weeks of school. If the student is passing all courses at the end of the first six weeks (other than identified honors courses), the student can regain academic eligibility after the seven calendar day grace period.

6. ***If students enroll in grade 9 for the first time at the beginning of the second semester, how many credits must they have to be academically eligible during the first six weeks of the following school year?*** *At least two and one-half credits.*

7. ***What standards determine the eligibility of special education students?***

**Academic standards for the first six weeks of school year:** The ARD committee determines and specifies in the IEP what a student must achieve each year in order to be promoted or placed into the next grade level. The ARD committee also determines the number of credits needed to be eligible for UIL activities during the first six weeks of the school year.

**Academic standards for weeks 7-36:** A special education student is eligible if his/her IEP (Individual Education Plan) requirements have been met. *If a student who has received a failing grade is later referred for special education and found eligible for special education services, the ARD committee cannot restore the student's eligibility for extracurricular activities. In accordance with state law, the ARD committee will specify what the IEP requirements will be for the upcoming grading period, and the student will immediately begin work towards achievement of the IEP requirements. At the end of that grading period, the student would be eligible if the requirements of the IEP are met.*

**Full-time status:** For UIL activities, the ARD committee determines the number of courses a special education student must be enrolled in to be eligible, based on the student's individual educational needs.

**504 Eligibility:** Eligibility standards for students identified as disabled under Section 504 are the same as for regular education students. However, Section 504 students are to be considered for IDEA eligibility if the Section 504 committee determines that because of his/her disability, the student cannot master the essential knowledge and skills in order to meet the regular academic standards as identified in §33.081 of the Education Code (i.e., the "No Pass No Play" law). If a Section 504 student meets the eligibility requirements to be served as a special education student, the information provided above applies in determining his/her eligibility.

8. ***Are students limited to regaining eligibility for one three school week period?*** No. After the first six weeks of the school year, students may regain eligibility through the school year. (TEC §33.081 [d].)

9. ***Should students who are ineligible according to No Pass No Play be reported on UIL athletic eligibility blanks?*** Yes. The students are not actually eligible until they pass all courses and the seven calendar day waiting period is over. However, it is wise to report all students who may play varsity athletics anytime during the season since UIL rules require students to be reported before entering any varsity contest.

**10.** ***When a student fails a course at the end of a grading period, is that course the only subject the student must pass to regain eligibility within three weeks?*** No, the student must be passing all courses other than identified honors classes at the end of the three school week evaluation period in order to regain eligibility. (TEC §33.081 [d].)

**11.** ***May students count TAKS and STAAR Review Courses toward the number of credits students need to be eligible the first six weeks of the school year?*** No. TAKS and STAAR Review Courses may not be counted.

**12.** ***If a student fails a TAKS or STAAR Review Course, does the student lose eligibility?*** No, failing a TAKS or STAAR Review Course does not cause loss of eligibility.

**13.** ***Under what conditions may a student receive an incomplete grade and how does it affect eligibility?*** A student with an "Incomplete" grade is ineligible at the end of the seven day grace period unless the "Incomplete" was replaced with a passing grade prior to the end of the seven day grace period. Students with an "Incomplete" grade either within or beyond the end of the seven day grace period may regain eligibility if the work is made up in accordance with district policy in regard to time allowed for make-up work and the conditions under which make-up work are allowed.

**14.** ***Can a student's grade be changed for eligibility?*** After a failing grade has been recorded, the situations in which a student's grade may be changed to passing and eligibility restored are only as follows: (a) an examination or course grade issued by a classroom teacher is final and may not be changed unless the grade is arbitrary, erroneous, or not consistent with school district grading policy, as determined by the board of trustees. The board's decision may not be appealed.

Extra credit work or work (including re-test) turned in after the grading period or evaluation has ended may not be considered when determining a student's eligibility for extracurricular activities except in the case of an "Incomplete" grade discussed above. According to Section 21 (e), the superintendent of a member school district shall provide the district executive committee with full disclosure when a student's grade, given by a teacher, is modified by an administrator in such a manner that affects UIL eligibility.

**15.** ***How are college courses handled for academic eligibility purposes?*** See section titled "Identification of Honors Courses" at the beginning of this document for college course exemption information. Students are not required to submit grades for college courses to the high school principal if those courses have no bearing on graduation requirements. Courses taken solely for college credit do not count toward the number of hours required to be considered a full time student for eligibility purposes.

**16**. ***How are online courses taken through the school district handled for academic purposes?*** Based on the understanding that any online or virtual class, taken via the Texas Virtual School Network (Tx-VSN) or other district and state approved provider, is handled through the local independent school district in which the student is enrolled, the following information would apply:

If the virtual course is for high school graduation requirements, and not eligible for exemption as an advanced class as discussed in this document, grades for the course must be submitted to the school at the scheduled high school grading periods and, if failing, will have an impact on academic eligibility. The grade report at the scheduled high school grading periods could be simply a pass/fail indication of the student's progress at the time.

**17.** ***How are correspondence courses handled for academic eligibility purposes?*** In regard to correspondence courses and potental ramifications toward No Pass No Play, the answer will depend on whether the course in question is being utilized toward high school graduation requirements.

If the correspondence course is for high school graduation requirements, and not eligible for exemption as an advanced class as discussed in this document, grades for the course must be submitted to the school at the scheduled high school grading periods and, if failing, will have an impact on academic eligibility. The grade reported at the scheduled high school grading periods could be simply a pass/fail indication of the student's progress at the time.

**18.** ***If a student achieves a grade of 70 or above in every class for the third six weeks (or second nine weeks) of the first semester, but is denied credit for the semester due to minimum attendance requirements (TEC §25.092), is the student eligible to participate in extracurricular activities during the next grading period?*** Yes, a student is eligible if he/she did not receive a grade lower than 70 in any course for the prior grading period. (TEC §33.081 [c].) However, the loss of credit could cause students not to meet the UIL requirement for eligibility during the first six weeks of the following school year.

**19.** ***What determines grading requirements?*** Grading procedures should be based on the student's academic achievement or demonstrated mastery of the course (TEC §28.021). Factors may include class work, homework assignments, tests, participation, final examinations, or other academically-related requirements. It is important that districts establish clearly defined procedures for awarding grades, as this remains a very

controversial and questionable area. A student cannot be denied credit for a class based on non-academic reasons; however, the minimum attendance requirements required for credit remain in statute.

20. ***Are students required to be eligible to be included in or participate in team, organization, or club photos, homecoming courts, senior trips, senior proms, banquets?*** No. These activities are considered social activities. They do not meet the definition of an extracurricular activity.

21. ***Are ineligible students permitted to travel to competitive events with the school group?*** No. Students must be eligible to travel to competitive events.

22. ***Are ineligible students permitted to participate in scrimmages?*** Yes. A scrimmage is considered a practice, and therefore not a competitive event.

23. ***Are ineligible students permitted to travel on school designated educational trips?*** All students may travel with school groups on school designated educational trips. On such trips, ineligible students shall not take part in or assist with performances unless the performance is permitted according to the provisions in 19 TAC §76.1001 (a) (2). (See "Extracurricular Absences.")

24. ***Are student managers, photographers, scorekeepers, trainers, statisticians, stage crews, and others who assist the coach, director or sponsor, but do not participate in the performance or contest, required to meet No Pass No Play requirements?*** Yes. Students who assist with contests or performances are required to be eligible under No Pass No Play. (19 TAC §76.1001 [a] [1] [B].)

25. ***May a (fine arts director, coach, or academic sponsor) teacher or extracurricular sponsor responsible for posting a student's grade give points or subtract points from a grade when a student (excels in or) does or does not (fully) participate in an extracurricular activity?*** The teacher of a class is responsible for assessing students for promotion based only on "academic achievement or demonstrated proficiency of the subject matter of the course or grade level" (TEC §28.021). The board of trustees of a school district may adopt a policy governing methods of assessment in the district. Unless prohibited by local policy, if a student is enrolled in a class in which participation in extracurricular activities is a reasonable expectation of the class, the teacher may consider the student's participation in the extracurricular activity when assigning the grade for the grading period during which the extracurricular activity occurred. A student may not be failed in a class solely on participation in the extracurricular activity component of the class.

The student should be made aware of the requirement to participate in extracurricular activities prior to or upon enrollment in the course.

An exception to this provision is that a student who is ineligible to participate in an extracurricular activity as defined in 19 TAC §76.1001 (a) shall not suffer a grade penalty for failure to participate in the extracurricular activity or public performance.

26. ***Are ineligible students permitted to be introduced during parent night activities?*** Yes. Ineligible students may be introduced as members of the team or group. However, they may not be in uniform or seated with the student organization they represent during the event.

27. ***May ineligible students attend pep rallies and homecoming parades?*** All students may attend. Only eligible students may actually take part in pep rally performances, leading cheers, participating in dance routines, playing in the band, giving speeches, etc.

28. ***Do students have to be eligible to march in parades?*** Parades are considered to be public performances, therefore, eligibility is required.

29. ***When does a student who enrolls after the first six weeks of the school year become academically eligible?*** The student may gain academic eligibility at the end of the seven calendar day waiting period by passing all courses either for the school's next three school week evaluation period or the grading period.

# Admission

Texas Education Code §25.001 (b) (5) ensures that homeless children (individuals who lack a fixed, regular and adequate residence or whose primary nighttime residence is a shelter, an institution providing temporary residence for individuals intended to be institutionalized, or a place not ordinarily used as a regular sleeping accommodation for human beings) are eligible for prompt access to enrollment. Residency requirements, guardianship requirements, or school record requirements cannot be used to prohibit or delay the enrollment of homeless children and youth. Additional information and resources relating to homeless students can be obtained from The Dana Center: http://www.utdanacenter.org/theo/.

Homeless students need their school administrator to apply to the UIL for a waiver of residence if the student plans to participate in varsity athletics.

Residence rules for athletic varsity eligibility are found in Section 440 (b) and 442 of the *Constitution and*

*Contest Rules*. They are applicable to UIL varsity athletic eligibility the first year the student attends the school.

Student athletes could be eligible for varsity athletics their first year of attendance if their parents have abona fide residence (Section 442 [h]) within that school's attendance zone, or if the student fulfills one of the exceptions in Section 440, or is granted a hardship waiver (Section 465) of the residence rule through the UIL office. Otherwise the student is ineligible for all varsity sports for one calendar year from the time of initial enrollment in the school.

All students, including 18 year old students, are ineligible for all varsity athletics the first year of attendance at a new school unless the student's parents reside within that attendance zone, or the student fulfills one of the exceptions listed in Section 440, or is granted a hardship waiver of the residence rule.

The UIL State Executive Committee has issued the following interpretations regarding Public Education Grant (PEG) Intradistrict and Interdistrict Transfers (Low Performing to campus with Acceptable Rating Sub chapter 6, Section 29, Texas Education Code):

A student who transfers from a campus identified under the Public Education Grant (PEG) Program to a new school, which is considered to be a non-PEG campus, may be eligible according to the UIL residence rule (Section 440 [b]) provided the student is in compliance with the following provisions:

- The transfer complies with the conditions cited in annual memo from TEA.
- The student transferred from the PEG identified campus to the non-PEG campus at their first opportunity to do so. In this case "opportunity to do so" is determined by notification to parents of the student that the school the student is leaving has been PEG identified. School officials at the non-PEG campus must be advised that the student is transferring for PEG purposes prior to enrollment.
- The Previous Athletic Participation Form is completed and the UIL district executive committee finds the student did not change schools for athletic purposes.

School officials at the non-PEG campus shall inform students who are eligible for varsity athletics their first year after transferring from PEG identified campus that if they elect to transfer to another school they will be ineligible at the school to which they transfer for all varsity athletics for at least one calendar year. We recommend written notification to the student and parents.

The fact that a non-PEG campus begins to accept PEG transfers after the first year a campus has first been identified as a PEG campus does not cause a student to be eligible for varsity athletics the first year of attendance at the non-PEG campus.

A student who has attended a private school accredited by the Texas Private School Accreditation Commission for the previous calendar year or more may be eligible for varsity athletics at a UIL member high school according to § 440 (b) provided:

- The student's home campus (high school located within attendance zone where the parents reside) is currently identified as a PEG identified campus.
- The campus the student is transferring to is a non-PEG campus.
- The student transfers at their first opportunity upon return to public school.
- The student is not transferring for athletic purposes.

The district executive committee should thoroughly evaluate Section 443, Changing Schools For Athletic Purposes, prior to ruling on the student's varsity athletic eligibility.

Please be advised that a school district chosen by a student's parent under this statute is entitled to accept or reject the application according to the criteria cited in the TEA correspondence.

Please note that the provisions above speak to UIL eligibility only and do not permit students who transfer from a PEG identified campus to another PEG identified campus to be eligible for varsity athletics their first year of attendance at the new campus. UIL rules do not prevent students from such transfers, but cause them to be ineligible for varsity athletics their first calendar year of attendance at the new school.

# Enrollment Requirements

1. ***How many classes must a student be enrolled in to be a full-time student?*** A student must be enrolled for at least four hours per day to be considered in membership for one full day (19 TAC §129.21 [h]). The classes in which the student is enrolled for the four hours may be for either state approved or local credit. Students are eligible to participate in a League contest as representatives of a participant school if they meet the TEA requirements above. They must be full-time day students in a participant high school and be in compliance with written transfer and admission policies of the local school.

- Home Bound: Full-time students who are placed on "home bound status" by their school officials remain eligible provided the classes in which they are assigned work to complete at home meet for at least four hours each day at school.
- Block Schedules: Students who are in classes more than four hours some days and less than four hours on other days are considered to be "full-time" if they spend an average of four hours per day in

class for a five day school week.

2. ***May a college course be counted among the classes necessary for a student to be considered as full-time for participation in extracurricular activities?*** Yes. 19 TAC §74.25 states as follows:

(a) A school district board of trustees may adopt a policy that allows a student to be awarded credit toward high school graduation for completing college level courses. The course shall be provided only by an institution of higher education that is accredited by a regional accrediting association identified in 19 TAC §74.25.

(b) To be eligible to enroll and be awarded credit toward state graduation requirements, a student must have approval of the high school principal or other school official designated by the district. The course for which credit is awarded shall provide advanced academic instruction beyond or in greater depth than the essential knowledge and skills for the equivalent high school course.

* Students must be receiving high school credit, either state approved or local credit, for the course to be counted toward the four hours of class per day.

3. ***May an online course be counted for eligibility purposes as it relates to the full time student rule?*** Yes, based on the understanding that any online or virtual class, taken via the TxVSN or other district and state approved provider, is handled through the local independent school district in which the student is enrolled, the following information would apply:

Online courses would count toward determing the full time student status of a participant. Each online course taken through the district would count equivalent to the amount of time spent each day at school for a student taking that course or a similar course as part of their regular school day.

It is important to remember that school districts may voluntarily impose stricter standards than those cited in this document.

4. ***May a student who has not yet reached the ninth grade take a high school course?*** Yes, and credits count toward high school eligibility the first six weeks of the school year when the student becomes a high school student. Students must pass all classes (including high school courses), except classes identified as honors by their local school district.

Students below the ninth grade who have not reached their 15th birthday on or before September 1 may enroll in high school academic classes without jeopardizing their four consecutive calendar years of high school eligibility. These students would not be eligible to compete in UIL high school athletic, academic, or one-act play contests.

5. ***Are students who are placed in alternative settings for behavioral management eligible for extracurricular activities?*** Students who are placed in a disciplinary alternative education program (DAEP) for a reason included in TEC §37.006 ***must*** be prohibited from attending or participating in a school-sponsored or school-related activity as provided by Subsection (g) of that section.

Students placed in a DAEP pursuant to authority under a provision of the TEC other than §37.006 may be prohibited from participating in school-sponsored or school-related activities by local district policies.

Students who have been assigned to a DAEP for a reason included in TEC §37.006 or those assigned under a separate section of the TEC *and prohibited from participating by local policy*, may resume participation in UIL activities the first day they return to regular classes after completing the assigned length of time in the alternative education program.

* Note: If a school district does not want students assigned to DAEP for reasons that are not included under TEC §37.006 to participate in extracurricular activities, the district has to adopt policies to prohibit them from participating.

6. ***Is it OK to practice for a single extracurricular activity more than one class period during the school day?*** No. 19 TAC §76.1001 (e) (1) and (2) address this issue. The State Board of Education has expressly stated in rule that a student may practice an extracurricular activity such as athletics OR drill team OR cheerleading during one period of the day. This does not mean one period each, but rather a period for any one of the "pure" extracurricular activities.

The rationale of this limitation complies with the intent of TEC §33.081 (a) and TEC §7.102 (c) (27), which gives authority to the Commissioner of Education to limit extracurricular participation during the school day and school week. Furthermore, TEC §33.081 (a) states, "The rules must, to the extent possible, preserve the school day for academic purposes." This language in the law is the basis for adopting a rule which allows for practice of an extracurricular activity for one period of the day and preserving the remainder of the school day for academics.

The rule does not prohibit a student from enrolling in any number of state-approved classes, such as Stage Band and Instrumental Ensembles or Theatre Arts and Theatre Production, during the same school day so long as the extracurricular activity associated with the state approved class is not practiced more than one period of the day. The rule does not restrict a student from being enrolled in athletics and a state-approved course which may be associated with an extracurricular activity during the same day. As stated above, a student may be enrolled in any number of state-approved classes. Even though there may be some similarities in the skills to be performed, a drill team member who is enrolled in a state-approved Dance class for fine arts credit is required to master successfully the essential knowledge and skills for Dance. Furthermore, the class must be taught by a teacher certified to teach Dance. Because Dance is a state-approved class, a student may be enrolled in Dance class period and in a pure extracurricular class period, such as athletics, during the same school day.

7. ***May a student enroll in more than one physical education class in the same school day?*** The Texas Administrative Code does not prohibit a student from enrolling in any number of state approved courses. However, UIL rules specifically prohibit students from being enrolled in more than one physical education and/or athletic class; Exception (with local school approval): PE Class: Adventure/Outdoor Education; PE Substitute: JROTC, Cheerleading, Drill Team, Marching Band.

As such, there is nothing in statute that would prohibit a student from enrolling in more than one physical education class in the same school day; however, a school would be in violation of the UIL *Constitution and Contest Rules* and subject to the range of penalties should it occur, with exceptions as noted above.

8. ***Are early or mid-year graduates who have not been awarded a high school diploma eligible to participate in extracurricular activities?*** Full-time enrollment is required for participation in UIL sponsored activities, however, the matter of participation in UIL activities by early and mid-year graduates who have not had the diploma conferred is to be determined by the school district. See sections 1220 (g) and 1280 (h) of the UIL *Constitution and Contest Rules* for exceptions as they apply to baseball and softball playoffs extending beyond the end of the school year.

## Athletic Periods

Limitations on practice and rehearsal for extracurricular activities during the school day shall be as follows:

- A school district must limit a student to one period of practice during the regularly scheduled school day for specific extracurricular activities, such as athletics, or drill team, or cheerleading.
- The limit of one period per school day for practice in an extracurricular activity does not prohibit a student from enrolling in any state-approved class. A student who is enrolled in a state-approved class that includes essential knowledge and skills that relate to the preparation for an extracurricular activity may practice that extracurricular activity no more than one period during the school day.
- A student may not be permitted to miss a scheduled academic class for an unrelated extracurricular activity.
- A school district must limit extracurricular practice during the school day to ensure that class periods for extracurricular practice do not exceed the time allotted for other class periods.
- A school operates on a traditional class schedule or on a non-traditional class schedule, such as alternating, accelerated, or a modified block schedule. Regardless of the schedule type in place, a school may elect to practice extracurricular activities daily, provided the total minutes allowed for the extracurricular practice is not greater than 300 minutes during the school week.
- Students attending study hall or tutorial sessions for the remainder of the block come under the following regulation: Tutorial sessions are conducted in classrooms, and dressing and redressing time is part of the athletic period - not the study hall or tutorial. Coaches are subject to penalty if these provisions are violated.
- All athletic periods shall be scheduled within the regular school day. A zero period may be scheduled before the first academic class of the day or a 7th, 8th, or 9th period may be scheduled after the last academic class of the day provided students are not enrolled in any other physical education class. The zero, 7th, 8th, or 9th period shall not be longer than other class periods.

## Marching Band Periods

Marching band rehearsals may be conducted during the school day under the following provisions:

- A school district must limit a student to one period of practice during the regularly scheduled school day for specific extracurricular activities, such as athletics, or drill team, or cheerleading.
- The limit of one period per school day for practice in an extracurricular activity does not prohibit a student from enrolling in any state-approved class. A student who is enrolled in a state-approved class that includes essential knowledge and skills that relate to the preparation for an extracurricular activity may practice that extracurricular activity no more than one period during the school day.
- A student may not be permitted to miss a scheduled academic class for an unrelated extracurricular

activity.

- A school district must limit extracurricular practice during the school day to ensure that class periods for extracurricular practice do not exceed the time allotted for other class periods.
- A school operates on a traditional class schedule or on a non-traditional class schedule, such as alternating, accelerated, or a modified block schedule. Regardless of the schedule type in place, a school may elect to practice extracurricular activities daily, provided the total minutes allowed for the extracurricular practice is not greater than 300 minutes during the school week.
- Rehearsal during this period may focus on the marching or music components that would be included in performances at marching competitions and appearances at football games or other extracurricular activities as defined by Commissioner of Education rule, 19 TAC Chapter 76.
- Since band is a part of the fine arts academic curriculum, the remaining portion of any instructional block that exceeds the limitations above could then be used to address the essential elements in music through the exploration of music concepts, the mastery of instrumental techniques, the development of sightreading skills, and the preparation of music for curricular concert performances. During this portion of the daily band period, lesson plans should be clearly defined and a grading policy should be established that would commensurate with other academic disciplines, such as language arts, science, and math.
- For both traditional and non-traditional scheduling, the time allotted for the marching band rehearsal should include time for set-up, movement to and from the drill field, etc.
- Under these provisions, no additional time during the school day is allowed for marching band performance preparations.

**Key Points for Athletic and Marching Band Periods**: The same schedule (traditional or non-traditional) shall be mandated throughout the semester. No additional time is allowed under any of the scheduling configurations described above for athletics or marching band performance preparation. Practice for athletics or extracurricular marching performances is not allowed during tutorials, homeroom, or non-related academic periods.

# Limits on Practice and Performance

Commissioner of Education regulations limit participation to one contest per school week. Participation is defined as involvement with the activity (e.g., traveling with the team, sitting on the bench). Example: On a Tuesday night, the student's name is on the score book but she remains on the bench and does not actually enter the game. This counts as participation according to state law. That student cannot participate again until Friday after school.

## • 19 TAC §76.1001, Subchapter AA

(d) Limitations on practice, rehearsal, and student participation in extracurricular activities during the school week shall be as follows:

(1) For any given extracurricular activity, a student may not participate in more than one activity per school week, excluding holidays, except as provided in paragraph (2) of this subsection.

(2) In addition to the limit specified in paragraph (1) of this subsection of one extracurricular activity permitted per school week, a student may also participate in a tournament or post-district contest, as well as a contest postponed by weather or public disaster that may determine advancement to a post-district level of competition.

(3) For each extracurricular activity, a school district must limit students to a maximum of eight hours of practice and rehearsal outside the school day per school week.

(4) The Commissioner of Education recommends that school districts avoid scheduling extracurricular activities or public performances on the day or evening immediately preceding the day on which the administration of the statewide student assessment program is scheduled for Grades 3-11.

UIL limits participation in contests per calendar week in some sports. For UIL, participation is defined as a student actually entering a contest. Example: On Tuesday night, the student's name is on the score book but the student remains on the bench and does not actually enter the game. This does not count as participation in a UIL contest according to UIL (but does count according to state law. That student cannot participate again until Friday after school.) The Tuesday game does not count as one of the games UIL permits the student to participate in for that calendar week or for the season because the student did not enter the game.

UIL *Constitution and Contest Rules*: Section 5: Definitions

(b) Calendar week means 12:01 a.m. on Sunday through midnight on Saturday.

(ee) School week means the week beginning at 12:01 a.m. on the first instructional day of a calendar week and ends at the close of instruction on the last instructional day of the calendar week, exclud-

ing holidays.

The following situations are considered as one contest during the school week.

**Volleyball:**

(1) A single match.
(2) A dual match (a team plays two other teams or plays the same team twice at the same site on the same day.) A dual match counts as one of the two matches UIL permits students per calendar week and counts as two of the total matches for the student per season.
(3) A double header (a student may play in a varsity and a junior varsity match or a ninth grade and a varsity match at the same site the same night). A double header counts as the total two allowable matches UIL permits the student for the calendar week and counts as two of the total matches for the season.

Students could also play in a tournament the same week they participate in a single match, dual match, or double header.

**Basketball and Soccer:**

(1) A single game; or
(2) a double header (a student may play in a varsity and a junior varsity game or a ninth grade and a junior varsity game at the same site the same night). It counts as the two total games the student may play for the calendar week and two of the total games for the season. Students may not play in a tournament the same week as they play in a double header.

**Cross Country, Golf, Swimming, Team Tennis, Tennis and Wrestling:**

An invitational meet/tournament, dual or triangular, competition. Schools shall not enter invitational tournaments/meets scheduled on more than one school day per any one tournament.

**Baseball/Softball:**

(1) A single game; or
(2) a double header (a student could play two back-to-back varsity games or in a varsity and junior varsity game, at the same site the same night.) Each game counts as one of the student's total games for the season.
Students may play in additional games at the conclusion of that school week because UIL does not limit the number of games per calendar week in these two team sports.

**Track and Field:**

Students or teams representing a participant school are permitted to participate in an invitational track and field meet only as listed below:

(1) After 2:30 on Friday or the last day of the school week. Exception: A student representing a participant school may participate in a maximum of two meets which start no earlier than 12:00 noon on Friday, or the last day of the school week;
(2) Or on Saturday or school holidays;
(3) Or on any school day other than the last day of the school week with the following conditions:
    (a) Students shall not miss any school time other than the in-school athletic class period.
    (b) Events shall not begin until after the end of the academic school day for all schools involved.
    (c) Schools utilizing this option are limited to a one day meet.
    (d) A school or student participating in this type of meet shall not enter another track and field meet during the same school week, Monday through Friday.
    (e) No event shall start after 10:00 p.m.

**Sunday Prohibitions:**

UIL rules prohibit interschool athletic, academic and fine arts competition (including marching contests) on Sunday. Academic and fine arts activities may schedule practice sessions on Sunday provided such sessions receive advance approval from the superintendent or his/her designee. Exceptions:

(1) School district personnel may instruct high school students and accompany them to school sanctioned academic or fine arts competitions held on Sunday, that do not count on League standing, under the following provisions: (a) school district personnel shall not accompany a student on more than two competitions on Sunday during a school year; (b) the participation of the student, academic coach, sponsor, or director must have prior approval of the superintendent or designated administrator; (c) participation is limited to contests that are sponsored by colleges or universities.
(2) UIL area, regional, and state competitions may be held on Sunday, due to unavoidable circumstances which cause hardship to participating schools, provided they are approved by all of the following: (a) a UIL staff director, (b) designated administrators of the participating schools, and (c) the meet director.
(3) If the regional and/or state golf tournaments are scheduled on a Monday, the one 18-hole practice round allowed at the regional and/or state tournament site may be played on the Sunday afternoon

preceding the meet if permitted by the regional or state meet director.

(4) If the regional and/or state tennis tournaments are scheduled on a Monday, and if participants arrive at the site on the preceding Sunday because of travel distance, it will not be construed a violation of this rule if school district personnel accompany or transport participants to a tennis court for the purpose of practicing on their own, if permitted by the regional or state meet director.

Sec.33.0812. SCHEDULING EXRACURRICULAR ACTIVITIES PROHIBITED IN CERTAIN CIRCUMSTANCES. (a) The State Board of Education by rule shall prohibit participation in a University Interscholastic League area, regional, or state competition.

(1) on Monday through Thursday of the school week in which the primary administration of assessment instruments under Section 39.023(a), (c), or (1) occurs; or

(2) if the primary administration of the assessment instruments is completed before Thursday of the school week, beginning on Monday and ending on the last school day on which the assessment instruments are administered.

(b) The commissioner shall determine the school week during the school year in which the primary administration of assessment instruments occurs for purposes of Subsection (a).

(c) The commissioner shall adopt rules to provide the University Interscholastic League with a periodic calendar of dates reserved for testing for planning purposes under this section. The periodic calendar must be provided at least every three years on or before May 1 of the year preceding the three-year cycle of reserved testing dates.

(d) In adopting rules under this section, the commissioner shall:

(1) include a procedure for changing, in exceptional circumstances, testing dates reserved under the periodic calendar;

(2) define circumstances that constitute exceptional circumstances under Subdivision (1) as unforeseen events, including a natural disaster, severe weather, fire, explosion, or similar circumstances beyond the control of school districts or the agency; and

(3) establish criteria for determinng whether a University Interscholastic League area, regional, or state competition must be canceled if that event conflicts with a changed testing date.

## • Q&A •

**1.** ***Does the in-school day athletic period count as part of the eight hours?*** No.

**2.** ***Does dressing out time and redressing time count as part of the eight hours?*** Yes, unless the student athletes were already dressed out because the athletic period precedes the portion of the day used as part of the eight hours. In that case, the dressing out time would not count as part of the eight hours, but the redressing time would.

**3.** ***Do water breaks and film review count as part of the eight hours?*** Yes. Any time used in connection with a practice that is not part of the in-school athletic period counts as part of the eight hours.

**4.** ***May ineligible students practice?*** Yes. Students do not have to comply with No Pass No Play requirements in order to participate in a scrimmage or practice session. (TEC §33.081 [f].)

**5.** ***Is a student required to attend school all day or any portion of the school day the day of a contest?*** Local school district policy provides the answer to this question. UIL and TEA requirements do not address this issue.

**6.** ***How do bad weather make-up days affect the school week limitation?*** If bad weather forces cancellation of a school day and that day is later made up on a Saturday, the Friday that immediately precedes that make-up day can no longer be considered the last day of the school week. Schools must reschedule extracurricular performances or contests if necessary to comply with the limit on contests and performances during the school week.

**7.** ***May a student participate in two unrelated activities during the school week such as a music extracurricular performance on Tuesday night and a volleyball game on Thursday night?*** Yes. Each activity is treated separately. (19 TAC §76.1001 [d] [1])

**8.** ***Is the UIL academic spring meet classified as a single contest allowing a student to participate in several events, or is each event classified as a separate contest limiting a student's participation to only one event in the competition?*** The UIL academic spring meet can be considered a tournament event; therefore, students may participate in more than one event in the competition. (19 TAC §76.1001 [d] [2])

**9.** ***What rules govern practice for extracurricular activities during the school week and during the school day?*** For rules on limitations during the school week, see 19 TAC §76.1001 (d). For rules on limitations during

the school day, see 19 TAC §76.1001 (e).

**10.** ***Is there a rule that prohibits scheduling any extracurricular activities during the week of finals?*** Schools cannot be required to play a playoff game on the night prior to final examinations. Scheduling activities during finals week of the semester is not encouraged. Rules of good judgment should apply.

**11.** ***May a high school band student participate in a marching band contest and perform with the band at a football game within a single school week?*** Yes. A band contest involving three or more schools meets the definition of a tournament, consequently it could be permissible to participate in both events during the same school week.

Practice for UIL Marching Band: Each entry in the UIL region contest must be accompanied by the following statement signed by the director: "The members of this marching band or any of its components did not begin the marching preparation for this UIL contest presentation prior to August 1. In addition, no more than ten hours of director-supervised instructional time was devoted to marching fundamentals between the end of the previous school term and August 1." (EXCEPTION: Auxiliary camps, leadership training, and preparation for special summer events such as civic parades, professional football game appearances, and other non-competitive performances are not considered a violation of this limitation.)

**12.** ***May students miss class for practice at the site of a post-district athletic, academic, or fine arts contest?*** UIL strongly discourages any loss of school time for practice scheduled away from that school's campus. Furthermore, TEC §33.081 (a) states, "The rules must, to the extent possible, preserve the school day for academic purposes." This language in the statute is the basis for adopting a rule which allows for practice of an extracurricular activity for one period of the day and preserving the remainder of the school day for academics. In addition, practice is limited to one hour during the school day.

**13.** ***An athletic class is scheduled outside the school day. Seventh, eighth, or zero period concepts are not utilized. What problems (pertaining to UIL rules) would the class cause?*** All class time, including dressing out and redressing, would count as part of the eight hours of practice allowed during in-season sports within the school week. Team sport off-season classes would be in violation of UIL rules.

**14.** ***A student has a full schedule and cannot enroll in an athletic or marching band class. May the student participate in these activities?*** Yes, unless the local district has more restrictive requirements. UIL rules do not require a student to be enrolled in those classes in order to participate. However, the student would not be able to participate in any off-season athletics since he/she would not be enrolled in the class.

**15.** ***How much time may be used for practice of a non-athletic extracurricular activity during the school day?*** Students may not miss other classes for the purposes of practice for extracurricular academic, fine arts, or athletic activities, such as one-act plays, speech or debate contests, etc. If the student is scheduled for a class that is directly affiliated with the activity (e.g., theatre/one-act play), only the amount of time scheduled for that class may be used for practice purposes. (19 TAC §76.1001 [e] [1], [2] and [3].)

# Definition of Extracurricular Activity

## • 19 TAC §76.1001, Subchapter AA

(a) An extracurricular activity is an activity sponsored by the University Interscholastic League (UIL), the school district board of trustees, or an organization sanctioned by resolution of the board of trustees. The activity is not necessarily directly related to instruction of the essential knowledge and skills but may have an indirect relation to some areas of the curriculum. Extracurricular activities include, but are not limited to, public performances, contests, demonstrations, displays, and club activities, with the exception of public performances specified in paragraph (2) of this subsection.

(1) In addition, an activity shall be subject to the provisions for an extracurricular activity if any one of the following criteria apply:

(A) the activity is competitive;

(B) the activity is held in conjunction with another activity that is considered to be extracurricular;

(C) the activity is held off campus, except in a case in which adequate facilities do not exist on campus;

(D) the general public is invited; or

(E) an admission is charged.

(2) A student ineligible to participate in an extracurricular activity, but who is enrolled in a state-approved course that requires demonstration of the mastery of the essential knowledge and skills in a public performance, may participate in the performance subject to the following requirements and limitations.

(A) Only the criterion listed in paragraph (1)(D) of this subsection applies to the performance.

(B) The requirement for student participation in public is stated in the essential knowledge and skills of the course.

*The Commissioner of Education is not authorized to approve extracurricular organizations outside of school sponsored or UIL sponsored groups. Local boards of trustees are responsible for the sanctioning and approval of outside organizations as "extracurricular organizations" for their individual districts.*

# Extracurricular Absences

In accordance with the provisions of the Texas Education Code, §33.0811, the number of times that a school district may allow a student to miss a class for extracurricular participation during a school year shall be determined by the school district board of trustees. Each school district must maintain an accurate record of extracurricular absences for each student in the school district each year.

The UIL Legislative Council has adopted the following resolution regarding extracurricular absences for UIL activities only:

The Legislative Council of the University Interscholastic League has taken the position that the previous state law mandating a maximum of ten absences through district competition, a maximum of five absences for post-district competition, and a petition to the UIL requesting a maximum of two additional absences for UIL state competition only, is educationally sound.

The Legislative Council strongly encourages school districts to adhere to a 10/5/2 day absence policy for participation in UIL activities.

# First Aid/CPR/AED Certification/Safety Training

Chapter 33 of the Texas Education Code, section 33.086 states:

§33.086. CERTIFICATION IN CARDIOPULMONARY RESUSCITATION AND FIRST AID.

(a) A school district employee who serves as the head director of a school marching band or as the head coach or chief sponsor for an extracurricular athletic activity, including cheerleading, sponsored or sanctioned by a school district or the University Interscholastic League must maintain and submit to the district proof of current certification in first aid and cardiopulmonary resuscitation issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification.

(b) Each school district shall adopt procedures necessary for administering this section, including procedures for the time and manner in which proof of current certification must be submitted.

Added by Acts 1999, 76th Leg., ch. 396, § 2.14(a), eff. Sept. 1, 1999. Amended by Acts 2003, 78th Leg., ch. 881, § 1, eff. June 20, 2003.

Additionally, Chapter 22 of the Texas Education Code, section 22.902 states:

§ 22.902. INSTRUCTION RELATED TO CARDIOPULMONARY RESUSCITATION AND USE OF AUTOMATED EXTERNAL DEFIBRILLATOR.

(a) A school district shall annually make available to district employees and volunteers instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator, as defined by Section 779.001, Health and Safety Code.

(b) The instruction provided in the use of an automated external defibrillator must meet guidelines for automated external defibrillator training approved under Section 779.002, Health and Safety Code.

(c) Each school nurse, assistant school nurse, athletic coach or sponsor, physical education instructor, marching band director, cheerleading coach, and any other school employee specified by the commissioner and each student who serves as an athletic trainer must participate in the instruction in the use of an automated external defibrillator. A person described by this subsection must receive and maintain certification in the use of an automated external defibrillator from the American Heart Association, the American Red Cross, or a similar nationally recognized association.

(d) The commissioner shall adopt rules as necessary to implement this section.

(e) This subsection applies only to a private school that receives an automated external defibrillator from the agency or receives funding from the agency to purchase or lease an automated external defibrillator. A private school shall adopt a policy under which the school makes available to school employees and volunteers instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator. The policy must comply with the requirements prescribed by this section and commissioner rules adopted under this section, including the requirements prescribed by Subsection (c).

Added by Acts 2007, 80th Leg., R.S., Ch. 1371, § 3, eff. June 15, 2007.

Sec. 33.202. SAFETY TRAINING REQUIRED. (a) The commissioner by rule shall develop and adopt an extracurricular activity safety training program as provided by this section. In developing the program, the commissioner may use materials available from the American Red Cross, Emergency Medical Systems (EMS), or another appropriate entity.

(b) The following persons must satisfactorily complete the safety training program:

(1) a coach, trainer, or sponsor for an extracurricular athletic activity;
(2) except as provided by Subsection (f), a physician who is employed by a school or school district or who volunteers to assist with an extracurricular athletic activity; and
(3) a director responsible for a school marching band.

(c) The safety training program must include:
(1) certification of participants by the American Red Cross, the American Heart Associatin, or a similar organization or the University Interscholastic League, as determined by the commissioner;
(2) current training in:
(A) emergency action planning;
(B) cardiopulmonary resuscitation if the person is not required to obtain certification under Section 33.086;
(C) communicating effectively with 9-1-1 emergency service operators and other emergency personnel; and
(D) recognizing symptoms of potentially catastrophic injuries, including head and neck inju ries, concussions, injuries related to second impact syndrome, asthma attacks, heatstroke, cardiac arrest, and injuries requiring use of a defibrillator; and
(3) at least once each school year, a safety drill that incorporates the training described by Subdivision (2) (D).

(d) A school district shall provide training to students participating in an extracurricular athletic activity related to:
(1) recognizing the symptoms of injuries described by Subsection (c)(2)(D); and
(2) the risks of using dietary supplements designed to enhance or marketed as enhancing athletic performance.

(e) The safety training program and the training under Subsection (d) may be conducted by a school or school district or by an organization described by Subsection (c)(1).

(f) A physician who is employed by a school or school district or who volunteers to assist with an exracurricular athletic activity is not required to complete the safety training program if the physician attends a continuing medical education course that specifically addresses emergency medicine.

Added by Acts 2007, 80th Leg., R.S., Ch. 1296, Sec. 1, eff. June 15, 2007

**Concussion Training Requirements of Texas Education Code, Section 38.158**

HB 2038 as passed by the 82nd Legislature and signed by the Governor also added section 38.158 to the Texas Education Code, which concerns training requirements for coaches, athletic trainers and potential members of a Concussion Oversight Team in the subject matter of concussions, including evaluation, prevention, symptoms, risks, and long-term effects. For purposes of compliance with TEC section 38.158, the UIL authorizes all Continuing Professional Education (CPE) providers that are approved and registered by the State Board for Educator Certification (SBEC) and Texas Education Agency (TEA) as approved individuals and organizations to provide concussion education training. A current listing of approved providers is found here: http://www.uiltexas.org/health/info/concussions

# Cheerleading and Drill Teams

Effective August 1, 2013 as passed by the UIL Legislative Council, students participating in cheerleading must comply with Chapter 38, Subchapter D, of the Texas Education Code related to the prevention, treatment, and oversight of concussions. Additionally, cheer coaches and sponsors will be required to complete training related to safety guidelines for cheer and other training programs designed to minimize risks associated with participation in the activity. See attached FAQs for more information, which are also posted on our Health & Safety page.

Cheerleading and drill teams do not come under UIL rules, but the regulations in this document regarding No Pass No Play, eight hour practice limitation, athletic periods, one contest during the school week and extracurricular absences are applicable. If the following information does not answer your questions, please call or email Traci Neely or Dr. Kevin Jones at the UIL. Telephone: 512-471-5883; FAX: 512-471-5908; Email address: info@uiltexas.org.

UIL rules require that cheer and spirit performances at any UIL activity shall be in accordance with safety standards as prescribed by the National Federation High School Spirit Handbook.

## • Q&A •

1. ***Are cheerleading sponsors and/or coaches subject to the requirements for CPR, First Aid, AED and Safety Training as outlined in this document?*** Yes. Each of the laws that created the trainings/certifications mentioned above included cheerleading coaches and/or sponsors as individuals required to complete the training.

2. ***Who governs try outs and/or selection procedures?*** The local school district adopts its own procedures. The Texas Education Agency and UIL do not monitor, recommend, nor prescribe the process of selecting cheerleaders or drill teams. Any concerns regarding those procedures should be addressed within the local district.

3. ***Are teacher or other school personnel comments that may be used as a part the selection process of cheerleaders and drill team members subject to disclosure if a parent requests to review the comments?*** Yes. Under the Family Education Right to Privacy Act (FERPA), an educational agency or institution shall give full rights under the Act to review the educational records of a child to either parent unless circumstances exist that revoke these rights (such as a court order related to divorce, separation, or custody issues). An educational record is defined under FERPA as "...those records that are directly related to a student; and maintained by an educational agency or institution or by a party acting for the agency or institution."

Parents have the right to review records that only pertain to their child, not the children of other parents.

The recommendations may not be anonymous. In order to provide a parent with full information about a child's school activities under Section 26.008 of the Education Code, and to allow the parent to be a full partner in the child's education under Section 26.001 (a), an evaluation or recommendation that determines whether a student may participate in a school-related program must contain the name of the person who submitted the evaluation or recommendation.

4. ***How does the one contest per school week apply to cheerleaders?*** It would not be a violation for cheerleaders to cheer at a double header (two contests at same site on one school night) or to participate in a pep rally prior to a contest and also lead cheers at the contest even though both occur during the school week. However, cheerleaders are not permitted to lead cheers for contests held on separate school nights during the school week unless an exception allowed under §76.1001 (cited above) applies to one or both of the contests.

5. ***Can an ineligible student who has failed a class try out for cheerleading or drill teams?*** If the actual participation does not occur until the next school year, it would not be considered a violation if the district chooses to permit currently ineligible students to participate in the tryout performance. This response does not require schools to allow academically ineligible students to try out for cheerleaders, but it permits schools to do so.

6. ***May practice for drill team and cheerleading be conducted during tutorial time, study hall time, or during homeroom time?*** No.

7. ***May a cheerleader or other student enroll in two physical education substitution classes - one for cheerleading and one for athletics?*** The Texas Administrative Code does not prohibit a student from enrolling in any number of state approved courses. However, UIL rules specifically prohibit students from being enrolled in more than one physical education and/or athletic class; Exception (with local school approval): PE Class: Adventure/Outdoor Education; PE Substitute: JROTC, Cheerleading, Drill Team, Marching Band.

As such, there is nothing in statute that would prohibit a student from enrolling in more than one physical education class in the same school day; however, a school would be in violation of the UIL *Constitution and Contest Rules* and subject to the range of penalties should it occur, with exceptions as noted above.

8. ***May ineligible students attend pep rallies?*** All students may attend. Only eligible students may be in uniform and actually take part in pep rally performances, leading cheers, participating in dance routines, playing in the band, giving speeches, etc.

9. ***May school dismiss early for a pep rally?*** If the district has submitted a letter with the waiver division at TEA that it will be scheduling up to six early release days during the school year, the district may decide for what purposes the early release days will be used.

10. ***May ineligible drill team members and cheerleaders travel with their group to a competitive activity?*** No.

11. ***May ineligible drill team members and cheerleaders travel on educational field trips?*** Yes, but they may not participate or assist with a public performance.

# Other Non-UIL Activities

The following are frequently asked questions and answers related to organizations outside the authority of UIL, including school sponsored and non-school sponsored groups, such as FFA and 4-H. Also see *Definition of Extracurricular Activity* and *Extracurricular Absences*.

1. ***If a student is absent from school to participate with an organization that is not sponsored or recognized by the local board of trustees, how are the absences counted?*** Extracurricular absences are defined in 19 TAC §76.1001 (a) (1) and (2). The first sentence of 19 TAC §76.1001 (a) states that an extracurricular activity is an activity sponsored by the University Interscholastic League (UIL), the school district board of trustees, or an organization sanctioned by resolution of the board of trustees. Therefore, any absence incurred by a student while participating with an organization that has not received sanction from the district shall be subject to student attendance provisions as stated in the Texas Education Code Chapter 25. Consequently, if a student misses class to participate with an organization that is not sanctioned by the district, the absence is not considered as one of the extracurricular absences and is therefore counted against the minimum attendance requirements for credit.

2. ***If a student passed the previous grading period, but is failing a course at the time of a livestock show or other non-UIL activity, is the student prohibited from participation?*** No. The student is academically eligible until the end of the grading period unless the district has imposed stricter criteria for eligibility.

3. ***Are suspension periods different for students involved in non-UIL activities or in organizations that are not school sponsored, but recognized by the school board of trustees?*** No. Suspension periods are the same for all students involved in extracurricular activities as defined in 19 TAC §76.1001 (a).

4. ***Are early or mid-year graduates who have not been awarded a high school diploma eligible to participate in extracurricular activities, such as livestock shows?*** Full-time enrollment is required for participation in UIL sponsored activities, however, the matter of participation in non-UIL activities by early and mid-year gradu ates who have not had the diploma conferred is to be determined by the school district and/or the sponsoring-organization, such as the livestock show board. Some school districts apply the same enrollment standard for UIL participation to all extracurricular activities.

5. ***May someone else show the animal of a student ineligible to participate?*** There are no TEA guidelines that prohibit the animal from being shown by another person. This issue is to be addressed by school policy or by the rules of the sponsor of the show.

6. ***At what point in time is an ineligible student prohibited from working with the show animal for competition?*** After the animal has been delivered to the show barn or competition area, the ineligible student may no longer tend, groom, or in any other way prepare the animal for competition. A student may assist in transporting the animal to the competition site provided no school time is missed.

7. ***May a student who is ineligible to compete in a livestock show participate in the sale or auction portion of the show?*** No. The sale would be considered an extracurricular activity in that it is held in conjunction with another activity that is considered to be extracurricular. (19 TAC §76.1001 [a] [1] [B]) Whether or not the animal may be sold by another individual is the decision of the school officials or determined by rules of the sponsors of the show.

8. ***Under what conditions may a student use a portion of the allowable "post-district" absences in FFA and other non-UIL activities?*** When the student has advanced to area, regional, or state level of participation as a result of competition, the student may make use of the post-district days. Area, regional, state, and national level leadership seminars or training sessions are not considered post-district unless the student has advanced to those levels due to competition. If participation at the area, regional, state, and national levels are not a result of competition, the absences are to be treated as part of the allowable absences. At a livestock show, students who advance to the sale or auction as a result of competition may count the time from the end of the competition to the conclusion of the sale, including travel home, if necessary, as part of the days allowed as post-district absences.

9. ***If an organization sponsors post-district competition that culminates at a ceremony at which the student receives a state or national award, prize, or office, may the school time missed be counted as part of the post-district allowable absences?*** Yes. If the purpose for attending is directly related to post-district competition, the time missed from school may count as part of the post-district absences. However, this does not mean that all students who attend a state convention qualify for post-district absences; the provision applies only to those who attend as a result of post-district competition.

10. ***Are any livestock shows, in state or out-of-state, considered "post-district"?*** The 76th Texas Legislature

enacted TEC §33.0811, which allowed local trustees to establish policies that determined the number of times that students could miss a class for extracurricular participation. As was noted in the chapter about extracurricular absences, the UIL Legislative Council has adopted the following resolution regarding extracurricular absences for UIL activities only:

The Legislative Council of the University Interscholastic League has taken the position that the previous state law mandating a maximum of ten absences through district competition, a maximum of five absences for post-district competition, and a petition to the UIL requesting a maximum of two additional absences for UIL state competition only, is educationally sound.

The Legislative Council strongly encourages school districts to adhere to a 10/5/2 day absence policy for participation in UIL activities.

If a participant in a livestock show must qualify to actually show an animal for further competition by first participating in the "sift" at another site (such as Brenham or Rosenberg in the Houston Livestock Show), that participant may count the days spent beyond the "sift" process as part of the allowable absences under post-district competition under the previous, recommended extracurricular absence rules. The days spent during the "sift" competition must be counted as part of the regular extracurricular allowable absences.

Participation at what are commonly called "major" shows and/or out-of-state shows does not qualify as post-district competition unless the conditions stated above exist.

**11.** ***May an ineligible student participate in the "calf scramble"?*** No. The criterion of 19 TAC §76.1001 (a) (1) (A) (that the activity is competitive) applies and the student must be eligible at the time of the activity.

**12.** ***What is the penalty if an ineligible student participates in an activity with an organization that is sanctioned by the district without permission or knowledge of the school?*** It is the responsibility of the local district to address the violation and impose an appropriate penalty.

## 2016-17 Academic Eligibility for the Beginning of the School Year

Students beginning grade nine and below must have been promoted from the previous grade prior to the beginning of the current school year.

Students beginning their second year of high school must have earned five (5) credits that count toward state high school graduation requirements.

Students beginning their third year of high school either must have earned a total of ten (10) credits which count toward state high school graduation requirements or a total of five (5) credits which count toward state high school graduation requirements must have been earned during the twelve (12) months preceding the first day of the current school year.

Students beginning their fourth year of high school either must have earned a total of fifteen (15) credits which count toward state high school graduation requirements or a total of five (5) credits which count toward state high school graduation requirements must have been earned during the twelve (12) months preceding the first day of the current school year.

Students who do not meet the above requirements are academically ineligible for participation the first six (6) weeks of the school year. Grades are checked at the end of the first six (6) weeks and if the students are passing all classes, they could regain academic eligibility after the seven (7) calendar day grace period.

When a migrant student enrolls for the first time during a school year, all criteria cited above apply. All other students who enroll too late to earn a passing grade for a grading period are ineligible.

High school students transferring from out-of-state may be eligible the first six weeks of school if they meet the criteria cited above or school officials are able to determine that they would have been eligible if they had remained in the out-of-state school from which they are transferring.

**The dates provided in this document are just examples of eligibility dates, and should be used as a guide only. Actual school calendars may vary from this information.**

| *6 Weeks Ends* | *Lose or Regain Eligibility* | *3 Week Evaluation** | *Regain Eligibility** |
|---|---|---|---|
| *9/16* | *9/23* | *10/7* | *10/14* |
| *9/23* | *9/30* | *10/14* | *10/21* |
| *9/30* | *10/7* | *10/21* | *10/28* |
| *10/7* | *10/14* | *10/28* | *11/4* |

*If there are multiple holidays in the 3-week evaluation period, it could alter the end of the evaluation and the date for regaining eligibility.

Schools on 9 week grading periods must check at the end of the first 6 weeks of the school year and students can lose or regain eligibility. The next grade check for a 9-week grading period will occur at the end of the 9-week grading period (even if it is more or less than 3 weeks).

# 2016-17 Academic Eligibility Information
# Holiday Eligibility Date Examples

(When six or nine weeks ends prior to winter break)

**The dates provided in this document are just examples of eligibility dates and should be used as a guide only. Actual school calendars may vary from this information.**

| *Students Back* | *Grace period ends* | *MLK Holiday* | *3 week check** | *Regain eligibility** |
|---|---|---|---|---|
| *Jan 2* | *Jan 9* | *No* | *Jan 20* | *Jan 27* |
| *Jan 2* | *Jan 9* | *Yes* | *Jan 20* | *Jan 27* |
| *Jan 3* | *Jan 10* | *No* | *Jan 20* | *Jan 27* |
| *Jan 3* | *Jan 10* | *Yes* | *Jan 23* | *Jan 30* |
| *Jan 4* | *Jan 11* | *No* | *Jan 20* | *Jan 27* |
| *Jan 4* | *Jan 11* | *Yes* | *Jan 23* | *Jan 30* |
| *Jan 5* | *Jan 12* | *No* | *Jan 25* | *Feb 1* |
| *Jan 5* | *Jan 12* | *Yes* | *Jan 25* | *Feb 1* |

*If there are other school holidays in the 3-week evaluation period (other than MLK) it will affect the 3-week grade check and regaining eligibility dates especially if 2 of the school weeks are less than 5 days.

*In the event two of three school weeks are shortened, one of the shortened weeks (which must consist of at least three school days) may be counted as five days with ten other actual class days making up the fifteen class days.

**November examples:**

• Grading period ends Friday, November 18. Students are on holiday from the end of school on the 18th until school resumes Monday, November 28. All students are academically eligible during a school holiday period consisting of at least seven consecutive calendar days. The seven-calendar day grace period begins on Monday, November 28 and the student's lose/regain eligibility on Monday, December 5 at the time the school day normally ends.

• Grading period ends Tuesday, November 22. Students are on holiday from the end of school on the 22th until school resumes Monday, November 28. The seven-calendar day grace period begins on Tuesday, November 22 and the student's lose/regain eligibility on Tuesday, November 29 at the time the school day normally ends.

**January example (when six or nine weeks ends after winter break):**

• Grading period ends Friday, January 13. Students lose or regain eligibility at the end of school Friday, January 20. Three week grade check is Friday, February 3, students regain eligibility Friday, February 10. (If there are multiple holidays in the 3-week evaluation period, it could alter the end of the evaluation and the date for regaining eligibility.)

**Spring Break example:**

• Grading period ends Friday, March 10. Students are on holiday from the end of school on the 10th until school resumes Monday, March 20. All students are academically eligible during a school holiday period consisting of at least seven consecutive calendar days. The seven-calendar day grace period begins on Monday, March 20 and the student's lose/regain eligibility on Monday, March 27 at the time the school day normally ends.