DENTON I.S.D.

PTA/Booster Club

Guidelines

These guidelines are provided to assist District Staff and PTA/Booster Clubs in following pertinent policies and regulations and to provide suggestions for their organization.

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DENTON ISD ADMINISTRATIVE PERSONNEL

Dr. Susannah O'Bara —Superintendent
940-369-0000

Dr. Lacey Rainey —Assistant Superintendent
940-369-0042

Dr. Charlene Parham – Area Superintendent
940-369-0097

Luci Schulz – Area Superintendent
940-369-0079

Robin Brownell – Area Superintendent
940-369-0042

Dr. Jeremy Thompson – Deputy Superintendent
940-369-0035

Vicki Garcia – Executive Director of Financial Operations
940-369-0575

Julie Simpson – Director of Finance
940-369-0019

Cindy Willis - Director of Purchasing
940-369-0121

Chris Bomberger—Executive Director of Child Nutrition and Risk Management
940-369-0272

Joey Florence – Director of Athletics
940-369-0070

Eddy Russell – Director of Fine Arts
940-369-0227

OTHER CONTACTS

Sandi Evans-Guin—Assistant Director of Finance
940-369-0012

Sarah Sprabary-King—Student Travel
940-369-0060

Transportation
940-369-0300

Operations—Facility Rental
940-369-0200

OTHER RESOURCES

Denton ISD Home Page
www.dentonisd.org

IRS Home Page
www.irs.gov

IRS Forms & Publications
www.irs.gov/forms-instructions
800-829-3676

IRS Customer Service
800-829-1040 (Individuals)
877-829-5500 (Non-profit taxes)

State Comptroller's Office
https://comptroller.texas.gov
800-252-5555

UIL— University Interscholastic League
www.uiltexas.org
512-471-5883

City of Denton Health Permits
https://www.cityofdenton.com/601/Health-Permit
940-349-8321

National PTA: National Parent Teacher Association
www.pta.org

National PTA Scholarship Program
https://www.txpta.org/scholarships

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PTA/BOOSTER CLUBS GENERAL INFORMATION

Parent support organizations may be formed to promote the school program or to compliment a particular student group or activity. Students enrich their education and expand their horizons when they participate in school activities and programs. Therefore, the District greatly appreciates the time, effort and financial support that the PTA/Booster Clubs provide to our students.

Even though a PTA/Booster Club works very closely with the District, it is a separate entity from the District. However, the formation of a PTA/Booster Club must be approved by the appropriate District Principal or Administrator. In addition, a PTA/Booster Club must abide by all Denton Independent School District policies, University Interscholastic League regulations, Federal laws and Texas State laws concerning PTA/Booster organizations.

The **Superintendent of Schools** is solely responsible for the entire educational program including curricular and extracurricular activities. All activities, events and personnel are under the jurisdiction of the Superintendent. It is important that PTA/Booster Clubs recognize this authority and work within the framework prescribed by the school administration.

Each school **Principal** is directly responsible for all money raising activities carried on in his/her school or sponsored in any manner by or on behalf of his/her school. Parent/teacher committees or faculty/student committees should work in full cooperation with the principal and under his/her supervision in planning special programs and activities or in conducting any activity which involves the raising of money.

The **Sponsor** of a student group serves as the liaison between the Booster Club and the District, under the supervision of the Principal. The Sponsor is responsible for determining the various activities and trips in which the student group will participate with the approval of the Principal and Area Superintendent.

The **Booster Club** is responsible for supporting a student group, activity, or program. Support may be as simple as providing fan support at games or events or as complex as raising money to support an out-of-state competition. The Booster Club works through the Sponsor to provide assistance for the planned activities of the student group. The Booster Club decides the type and amount of assistance they will provide; however, the Booster Club does not have the authority to decide the activities or trips in which the student group will participate.

The **PTA** is responsible for supporting a campus activity or program. Support may be as simple as providing volunteer support on campus or as complex as raising money to support campus activities. The PTA works with the Principal to provide assistance for the planned campus activities. The PTA decides the type and amount of assistance they will provide; however, the PTA does not have the authority to decide the campus activities.

DENTON ISD PTA/BOOSTER CLUBS SHALL:

1. Comply with DISD Policies, UIL Regulations, and Federal and Texas State Tax Laws for PTA/Booster Clubs.
2. Comply with administrative regulations and board policy when donating money or gifts to the district.
3. Have established bylaws to ensure stability, help resolve conflict, define processes and provide a roadmap for future officers.
4. Keep minutes of meetings.
5. Provide evidence of adequate insurance coverage for activities conducted on school premises. The district cannot provide insurance coverage for the PTA/Booster Clubs.
6. Have all fundraisers for the school year approved by the principal or his/her designee.
7. Pay all taxes and other debts incurred by the organization.
8. Keep financial records for required retention period and have audited either by an audit committee or independent auditor annually.
9. Elect officers by member vote.
10. Follow the UIL Awards Rule and District policy when considering student recognition.
11. Submit Denton ISD Booster Club annual registration form.
12. Have one elected officer attend a District-provided training each year.

DENTON ISD PTA/BOOSTER CLUBS SHALL NOT:

1. Use school facilities without prior written approval by the principal and/or Executive Director of Operations.
2. Establish a "petty cash" or "miscellaneous funds" account for the coach or sponsor to use at their discretion.
3. Give a sponsor or coach a gift or cash in excess of the limits imposed by the UIL (which is $500 in money, product or service within a calendar year) from any source in recognition of or appreciation for coaching, directing or sponsoring student activities.
4. Be permitted to collect student fees for items required to participate in a campus activity. (i.e., supply fees, uniforms, clothing, accessories, field trip fees, student trip fees, etc.)
5. Directly employ, contract, supplement or in any other way compensate a consultant, clinician, accompanist or paraprofessional for work performed for the student activity. These types of working arrangements must be managed through the principal, sponsor and the district business office.
6. Sign contracts or pay expenses directly from PTA/Booster Club accounts for any arrangements for student travel associated with the campus, student group or organization (i.e. hotel costs, transportation, bus or airfare, fees, etc.)
7. Use Denton ISD tax identification number as the PTA/Booster Club identification number.
8. Use the Denton ISD tax exemption form when making purchases for the PTA/Booster Club.

BEST PRACTICE RECOMENDATIONS:

1. Do not use PTA/Booster Club funds to support any non-school activities. This includes summer leagues and tournaments. (ex. City Leagues, Select Teams)
2. Do not engage in any money-raising activity of a lottery/raffle nature. NOTE: Per board policy GKB Legal. A "qualified nonprofit organization" for purposes of the Charitable Raffle Enabling Act may conduct raffles in accordance with the Act to benefit a district or school.
3. PTA/Booster Club officers must have a child active in the program their PTA/Booster Club supports.
4. A member without a child active in the program shall not be responsible for duties that involve the handling of money.
5. A PTA/Booster Club office may not be held by a spouse of another officer in the same club.
6. Provide meeting minutes and financial reports to the campus/district activity sponsor.
7. Annually provide a list of PTA/Booster Club board officers and contact information to the activity sponsor and campus administrator.
8. Booster Club bylaws should contain a dissolution statement such as: *"Upon dissolution of the Club or the winding up if its affairs, the assets of the club shall be distributed exclusively to the program activity fund at the designated campus".*

RECORD KEEPING PRACTICES:

The proper collection, reporting, disbursement and safeguarding of all money and other PTA/Booster Club assets rests solely with each PTA/Booster Club's officers, not with the school district or with any of the district's employees. The principal or sponsor may act in an advisory capacity only. No District employee shall be an officer of a PTA/Booster Club or have signatory authority on the bank account for a PTA/Booster Club at the campus they are employed. In addition, an employee of the District who has accounting or bookkeeping responsibilities shall not hold the office of Treasurer or have signatory authority on a PTA/Booster Club bank account.

A PTA/Booster Club does not have the authority to commit or to represent in any way the Denton Independent School District or any of its campus locations. A PTA/Booster Club is responsible for any obligation incurred by the PTA/Booster Club whether the commitment is financial or other wise.

Minutes of all PTA/Booster Club meetings will be kept in writing in the permanent records of the club.

Each PTA/Booster Club should seek competent tax and legal advice on their own and at their own expense on an as-needed basis.

District personnel will assist in whatever manner is feasible to facilitate PTA/Booster Club needs.

All PTA/Booster Club records should be maintained in a manner to facilitate the transfer of duties to new officers each year. Copies of financial records should be maintained for a period of five years in the permanent records of the organization. Many of these filings become public record upon the granting of exempt status and must be maintained for public inspection.

PTA/Booster Clubs should obtain a post office box or use a member's personal or business address for all correspondence. A post office box would provide the greatest amount of flexibility for the club. Schools are neither equipped nor funded to receive, sort, safeguard or distribute mail for PTA/Booster Clubs.

BANK ACCOUNTS:

The PTA/Booster Club must first obtain an Employer Identification Number from the IRS. See Federal Tax Information for more details.

Commingling of PTA/Booster Club funds /school activity funds is prohibited. Each PTA/Booster Club must have its own separate bank account at a facility within proximity of the school.

It is suggested that all funds received should be receipted and deposited within twenty-four (24) hours of receipt.

It is suggested that at least two officers sign each disbursement. Both signers should be parents or guardians with children in the affiliated organization. School district employees may not sign on PTA/Booster Club bank accounts on the campus where they are employed. In addition, an employee of the District who has accounting or bookkeeping responsibilities shall not hold the office of Treasurer or have signatory authority on a PTA/Booster Club bank account.

Capital equipment purchased with donated PTA/Booster Club funds becomes the property of the school district and must be used exclusively at the school.

School employees may not accept loans of funds from parents and/or student organizations.

Payment from PTA/Booster Club funds may not be made to employees or to other individuals for any service rendered to a school district program unless the transaction is processed through the district business office. (ex. Payments for clinicians, consultants and similar arrangements) NOTE: Private lessons are paid by parents directly to private lessons instructors. This is not a campus or district contracted service. As such PTA/Booster Club scholarship programs to pay for these services are allowed to make payment directly to the private lessons instructors.

FUNDRAISING:

Fundraising activities should support the educational goals of the District and schools and should not exploit students or jeopardize their safety.

All fundraisers for the school year must be approved by the principal or his/her designee. An application for permission must be made to the principal at the beginning of the semester or in a time frame as directed by the campus principal

Elementary students may not participate in any door-to-door sales projects.

Programs of educational value must be given preference by the principal over activities primarily for the raising of funds.

No coercion should be exercised in fundraising activities and no student or teacher is required to raise any particular minimum amount of money or to sell any minimum number of tickets, etc.

All funds raised should benefit the group as a whole. Individual accounts should not be created to prorate funds by participation in a particular fundraiser.

Other Fundraising Information

RAFFLES: A "raffle" is any activity that involves awarding a prize – anything of value, to one or more people who have purchased a ticket or promised something that has value in exchange for a chance to win a prize.

An unauthorized raffle is considered gambling under the Texas Penal Code. Conducting such a raffle is a Class A misdemeanor. Participating in an unauthorized raffle is a Class C misdemeanor.

The Texas State Attorney General's Office regulates the laws related to raffles. If your PTA/Booster Club is considering holding a raffle you should check the Attorney General's website to be sure your organization qualifies.

Texas Attorney General: Charitable Raffles

https://www.texasattorneygeneral.gov/divisions/financial-litigation/charitable-trusts/charitable-raffles-and-casinopoker-nights

SCHOLARSHIPS:

Scholarships must be awarded based on a student's need or merit.

The members of the committee selecting the scholarship recipients should not be related to any of the potential recipients.

There should be a method of ensuring that the scholarship funds are used for their intended purpose by the recipients (for example, you could give the funds directly to the college or university for the student).

PTA offers high school seniors and faculty scholarships every year. To apply for these scholarships visit the following link. https://www.txpta.org/scholarships

LIABILITY INSURANCE:

As directed by Denton ISD Board Policy GKD (LOCAL),PTA/Booster Clubs are responsible for providing evidence of adequate insurance coverage for activities conducted on school premises.

Additional information related to liability insurance requirements may be found on the District website on the Risk Management Booster Club/PTA webpage.

DENTON ISD FACILITY USAGE:

PTA/Booster Clubs must coordinate with the campus administration to obtain approval when scheduling events on the campus premises.

All outside organizations are required to complete the Denton ISD Facility Use Request and pay the associated fee prior to any event being held on school property. A facility request form may be found on the District website on the Operations Facility Rental page.

PTA/Booster Clubs may not be required to complete the Facility Use Request for meetings or events held during school operational hours. A facility usage form must be completed for all events that are held on non-operational days. Coordination with campus administration will assist in the determination for when the Facility Use Request is required for PTA/Booster Clubs.

PTA/Booster Clubs will not be charged the facility usage fee for club events.

FINE ARTS CENTERS FACILITY USAGE:

Each comprehensive high school features a Fine Arts Center for campus-based performance, district reservations, and community rentals. Please carefully read the Guidelines and Information documents prior to making your Reservation or Rental. Information for the Fine Arts Center usage may be found by following the link below.

FINE ARTS CENTERS INFORMATION

TEXAS SALES TAX RULES FOR PTA/BOOSTER CLUBS:

Important Rules to Remember:

Purchases by the school are tax-exempt. No tax should be charged and paid by the school. No reimbursement will be made for taxes paid by a school or school organization. However, PTA/Booster Clubs are not tax-exempt unless they have filled out the proper application forms from the Texas Comptroller of Public Accounts and have been given tax-exempt status. For further information, see the Comptroller's website at https://comptroller.texas.gov/taxes/exempt/PTA/Booster.php.

All PTA/Booster Clubs must apply for a sales tax permit number if they are selling items to students and/or parents. This allows PTA/Booster Clubs to purchase items without paying the tax up front. The PTA/Booster Club gives the seller a completed "Texas Sales Tax Resale Certificate" at time of purchase or placement of order. The tax is then paid later (remitted to the state by the PTA/Booster Club) at the time of the sale of the items to the students and/or parents.

Sales by a PTA/Booster Club are generally taxable. Questions about taxability should be addressed to the Texas Comptroller of Public Accounts.

https://comptroller.texas.gov/taxes/publications/94-183.pdf

All PTA/Booster Clubs must apply for their own sales tax permit number. They may not use the tax number of another PTA/Booster Club or the number of Denton ISD.

To apply, go to https://comptroller.texas.gov/taxes/exempt/PTA/Booster.php.

U.I.L. BOOSTER CLUB GUIDELINES:

University Interscholastic League
1701 Manor Road
Austin, Texas, 78722
Phone: (512) 471-5883

https://www.uiltexas.org/policy/guidelines-for-Booster-clubs

TEA-UIL Side by Side 19-20: The 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.
https://www.uiltexas.org/policy/tea-uil-side-by-side

FEDERAL TAX INFORMATION:

The purpose of this section is to provide general tax information to PTA/Booster Clubs. It is each PTA/Booster Club's responsibility to seek competent professional tax advice for its own tax reporting and filing requirements. The information provided in this document is not intended to be specific or all-inclusive. PTA/Booster Club organizations should strive to remain in good standing with all federal and state regulatory agencies.

Why Do I Want To Be Tax-exempt?

The IRS Tax Code provides for special treatment of certain organizations identified as "tax-exempt." Some benefits to becoming tax-exempt as a public 501(c)(3) organizations include:

1. Taxes are not paid to the IRS for revenues raised,

2. Contributions to certain tax-exempt organizations 501(c)(3) are tax-deductible by the contributor, and

3. Tax-exempt organizations are not required to file an information return (Form 990) unless the organization's annual gross receipts exceed $25,000.

However, the following are restrictions placed on tax-exempt organizations that Parent Organizations/PTA/Booster Clubs **must follow** to receive tax-exempt status and to retain that status:

Tax-exempt organizations must benefit a group as a whole instead of benefiting individual members of a group. Since Parent Organizations/PTA/Booster Clubs usually assist student groups, all members of the student group sponsored are to be treated equally and receive the same opportunity to benefit from the Parent Organization's/PTA/Booster Club's assistance. Therefore, one student cannot receive a greater benefit than another unless the criteria for financial need discussed below is met. In some instances, individuals may not be able to afford to pay the amount owed to participate in a particular event. The IRS has indicated that a group or club may establish criteria that could be used to determine if a person is in financial need. If the criteria are met, the group or club could provide the necessary funds to allow the individual to participate. The criteria should be established in writing prior to a particular situation arising. In addition, the criteria should be used consistently for all people, and the criteria should not change every year.

Tax-exempt organizations cannot require a person to participate in fund-raising activities. Normally, Parent Organizations-PTA/Booster Clubs raise funds for a student group through the efforts of the Parent Organizations-PTA/Booster Club members; however, sometimes the students of the group being assisted participate in the fund-raising activities. A Parent Organization-PTA/Booster Club cannot require its members or the students in the related student group to participate in a fund-raiser. Furthermore, members of the student group who do not participate in fund-raising activities would receive the same opportunity to benefit as those members of the student group who participated.

Tax-exempt organizations cannot require that a certain amount be raised or sold per person. For example, a Parent Organization-PTA/Booster Club cannot require that each Parent Organization-PTA/Booster Club member or student of the assisted group sell $20 worth of candy or sell 10 candy bars in a fundraiser. When applying for tax-exempt status with the IRS, Parent Organizations-PTA/Booster Clubs should apply for the **public 501(c)(3) tax-exemption**. This type of exemption means that the organization is tax-exempt; the majority of its income is from the public; and all donations, subject to certain individual restrictions, are deductible on the contributor's tax return. In addition, 501(c)(3) organizations are eligible for state tax benefits and reduced postal rates.

EMPLOYER IDENTIFICATION NUMBER: The IRS requires all organizations (entities) that conduct business to have their own Employer Identification Number. The EIN is obtained with the SS-4 Form from the IRS. A member's social security number should not be used as the organization's EIN for banking or other business purposes. **PTA/Booster Clubs are not allowed to use the District's EIN.**

FEDERAL TAX INFORMATION: (cont.)

PTA/Booster Clubs are independent organizations and are required to be established as either an exempt or non-profit organization with the IRS, **if their gross receipts exceed $5,000 annually**.

Difference between Non-profit and Tax-Exempt Status

Non-profit status is a state law concept. Non-profit status may make an organization eligible for certain benefits, such as state sales, property and income tax exemptions. Although most federal tax-exempt organizations are non-profit organizations, organizing as a non-profit organization at the state level does not automatically grant the organization exemption from federal income tax.

Applying for Exemption

To qualify as exempt from federal income taxes, an organization must meet requirements set forth in the Internal Revenue Code. See Publication 557 on the IRS website at www.irs.gov/charities.

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JULY 2009

TAX TOPICS

SALES AND USE TAX

Texas Comptroller of Public Accounts

School Fundraisers and Texas Sales Tax

Texas school districts, public schools, qualified exempt private schools and each bona fide chapter within a qualifying school are exempt from the payment of Texas sales and use tax on purchases of taxable items for their use, if the purchases are related to the organization's exempt function.

The organization must obtain a sales tax permit and collect and remit sales tax on taxable items it sells unless one of the exemptions listed below applies. An organization does not have to register for a sales tax permit if all its sales are of exempt items or if its sales take place through tax-free fundraisers.

Two One-Day Tax-Free Sales

School districts, public schools, qualified exempt private schools and bona fide chapters within a qualifying school may conduct two one-day tax-free sales or auctions each calendar year. For the purposes of this exemption, one day is counted as 24 consecutive hours and a calendar year is the 12-month period from January through December. See subsection (h) of Rule 3.322, "Exempt Organizations."

For example, a school may sell taxable items such as t-shirts, hats, uniforms, school supplies or crafts tax-free on a designated tax-free sale day. These days should be designated in advance so that purchasers are aware that the sales are not subject to tax. The organization may not collect tax on the transactions and keep the tax under the "tax-free" sale provision. The exemption does not apply to any item sold for more than $5,000 unless it is manufactured by the organization or donated to the organization and not sold back to the donor.

Either the date on which the items are delivered by the vendor to the school organization or the day on which the school organization delivers the items to its customers may be designated as the one-day tax-free sale day. Persons buying from surplus inventory on the designated date do not owe tax. Those buying on subsequent dates owe tax unless the purchase occurs on the organization's other tax-free sale day.

For example, a school group selling yearbooks may accept pre-orders without collecting tax if the day the yearbooks will be delivered to customers is designated as one of the group's tax-free fundraisers. Surplus yearbooks sold during the same day also qualify for the exemption. Surplus yearbooks sold on other days are taxable unless sold at the group's other tax-free fundraiser.

If two or more groups hold a one-day tax-free sale together, the event counts as one tax-free sale for each participating organization. Each of those organizations then is limited to one additional tax-free sale during the remainder of the calendar year.

If an exempt organization is purchasing taxable items for resale during its designated tax-free sale days and it holds a sales tax permit, the organization may either give the retailer a resale certificate, Form 01-339 (front), or an exemption certificate, Form 01-339 (back) to purchase the items tax-free. A

This publication is intended as a general guide and not as a comprehensive resource on the subjects covered. It is not a substitute for legal advice.

FOR MORE INFORMATION, SEARCH OUR WEBSITE AT
Comptroller.Texas.Gov

OR CALL
1-800-252-5555.



non-permitted exempt organization, however, may purchase items for resale tax-free by issuing an exemption certificate to the vendor for items sold during its two one-day, tax-free sales.

SCHOOLS AND BONA FIDE CHAPTERS

To qualify as a bona fide chapter of a school, a group of students must be organized for an activity other than instruction or to have a tax-free sale. Bona fide chapters include student groups recognized by the school and organized by electing officers, holding meetings and conducting business. There is no limit on the number of bona fide chapters a school can have. Bona fide chapters can include whole grade levels (e.g. senior class, junior class or freshmen), but cannot be limited to specific classes (e.g. Senior English or Biology II). Various other school groups such as a student council, science club or drama club can qualify if they are composed of students and school staff.

A department of a school, such as a purchasing, accounting, maintenance or IT department, is not a bona fide chapter even though it is part of the school or school district.

Groups that are not considered bona fide chapters, unless otherwise qualified to hold the two one-day tax-free sales, must obtain a sales tax permit and collect and remit sales tax on all taxable items sold at fundraisers. Non-student organizations such as booster clubs and PTAs/PTOs cannot qualify as bona fide chapters of a school, but may qualify for the tax-free sale days under other provisions of the Tax Code. See the "Nonstudent Nonprofit Organizations" section in this publication for more information.

NON-QUALIFYING FUNDRAISERS – ACTING AS AN AGENT OR SALES REPRESENTATIVES

When a school, school group, PTA/PTO, booster club or other exempt organization raises funds by acting as a sales representative or commissioned sales agent for a for-profit retailer, the group is not responsible for reporting and remitting sales and use tax. As a result, however, the exempt organization is not considered to be the seller and cannot use a tax-free sale day for this type of event. In these cases, the group receives a commission for holding a book fair or for selling candy, gift wrap, holiday ornaments, candles or similar items.

When an exempt organization acts as a commissioned sales agent or representative for a for-profit seller, the seller should provide instructions and information regarding the proper collection of tax. The for-profit retailer may advertise in the sales catalog or state on each invoice that tax is included or require that tax be calculated and collected based on the selling price of each taxable item. The for-profit retailer is then responsible for remitting the tax collected or backed out to the Comptroller. Similarly, sales of taxable items made through the Web site of a for-profit retailer are also taxable and may not be sold tax-free in connection with a fundraiser.

NONSTUDENT NONPROFIT ORGANIZATIONS

Nonstudent nonprofit organizations that are not bona fide chapters of schools may qualify for two one-day tax-free sales or auctions on their own.

A **booster club** for a band, football team or similar group may hold two one-day tax-free sales or auctions once it has obtained a sales tax exemption from the Comptroller's office on its purchases.

A nonprofit organization with an Internal Revenue Service (IRS) exemption under Section 501(c)(3), (4), (8), (10) or (19) is exempt from sales and franchise taxes. A booster club that has a 501(c) federal exemptions should complete AP-204 and submit it, along with a copy of its IRS exemption letter, to the Comptroller's office. After the Comptroller's office notifies the club of its exempt status, the club can hold two one-day tax-free sales or auctions each calendar year.

Parent-teacher associations (PTAs) affiliated with the Texas state PTA or the national PTA are exempt as educational organizations and can hold two one-day tax-free sales or auctions each calendar year. **Parent-teacher organizations** (PTOs), as well as **parent-teacher-student associations** (PTSAs) and **organizations** (PTSOs), are also exempt from sales tax as educational organizations.

PTAs *not* affiliated with the Texas state PTA or the national PTA, parent-teacher organizations

(PTOs) and parent-teacher-student associations (PTSAs) and organizations (PTSOs) are also eligible for exemption from sales tax as educational organizations. These organizations should complete form AP-207 and submit it to the Comptroller's office. Once the exemption has been granted, these organizations can also hold two one-day tax-free sales or auctions each calendar year.

Sales of taxable items by PTAs, PTOs, PTSAs, and PTSOs made at other times of the year are subject to tax.

Internet Sales

Sales of taxable items over the Internet are treated the same as sales of taxable items made at the school or at any other sales location. Schools, school groups and other non-student, nonprofit organizations that accept online orders through a Web site must collect sales tax on taxable items they sell online. An online sale occurring during a one-day tax-free sale, however, would qualify for the exemption.

Food and Beverage Sales

A public or private elementary or secondary school, school group or PTA/PTO does not have to collect tax on sales of meals and food products (including candy and soft drinks) if the sales are made during the regular school day and by agreement with the proper school authorities. This exemption includes food, soft drinks and candy sold through vending machines.

PTAs/PTOs and other qualifying groups associated with a specific public or private elementary or secondary school or school group may also sell meals, food, candy or soft drinks tax-free outside of the school day if the sales are part of the organization's fundraising drive and all net proceeds go to the group for its exclusive use.

CONCESSION STANDS

Concession-stand food sales are exempt from tax when made by a school group, PTA/PTO or other group (such as a booster club) associated with a public or private elementary or secondary school, if the sales are part of the organization's fundraising drive and all net proceeds go to the organization for its exclusive use. The exemption applies to sales of soft drinks and candy, but does not include sales of alcoholic beverages. The group can issue an exemption certificate in lieu of paying tax on purchases of candy, sodas, gum and other taxable food items sold at its concession stand. The exemption certificate should state that the group will sell the items as a fundraiser.

ANNUAL BANQUETS AND ANNUAL FOOD FUNDRAISERS

All volunteer nonprofit organizations can hold a tax-free annual banquet or other food sale provided the event is not professionally catered; is not held in a restaurant, hotel or similar place of business; is not in competition with a retailer required to collect tax; and the food is prepared, served and sold by members of the organization. The exemption does not apply to the sale or purchase of alcoholic beverages. To qualify for exemption, the food sale must:

- be an annual event;
- last no more than one week;
- be a fundraising project exclusively provided by the volunteers of the participating nonprofit organizations;
- be non-commercial in every respect (that is, the food and beverages cannot be prepared or served by a caterer or a restaurant, and must be prepared and served by the participating organizations' volunteers, without pay); and
- not be held in competition with a retailer at the same event who must collect tax on food and beverage sales.

The annual food sale or banquet exemption does not apply to sales of alcoholic beverages or non-food items (e.g., arts, crafts or t-shirts). Alcoholic beverages are not food products and are taxable. The type of tax due (sales tax or mixed beverage gross receipts tax) depends upon the type of permit held by the selling organization. As of January 1, 2014, sales of alcoholic beverages, including beer, wine and mixers, made by the holders of a mixed beverage permit are subject to two taxes:

- The 6.7 percent mixed beverage gross receipts tax assessed on the seller, and
- The 8.25 percent mixed beverage sales tax assessed on the purchaser.

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Sales of beer and wine made by the holder of a beer and wine only permit are subject to sales tax.

Nontaxable Sales

Some items are not subject to sales tax no matter who sells them.

NONTAXABLE FOOD ITEMS

Sales tax is not due on nontaxable food items. Examples of such items include cookie dough, pizza kits, cheese spreads, meat sticks, jelly, salsa, fresh fruit and mixes packaged for preparation at home.

MAGAZINE SUBSCRIPTIONS

Subscriptions to magazines entered as periodicals-class (formerly called second-class) mail and sold for six months or more are exempt from sales tax. Single issues and subscriptions for fewer than six months are taxable, however.

BAKERY ITEMS

Bakery products (including but not limited to pies, cakes, cookies, bagels and muffins) are exempt unless sold with plates or eating utensils.

GIFT CERTIFICATES AND PASSBOOKS

Sales of intangibles such as gift certificates and coupon passbooks are not subject to sales tax. Instead, retailers should collect tax when the certificate or coupon is redeemed for the purchase of taxable merchandise or services. The tax is based on the item's actual retail selling price less any cash discount given at the time of the sale (e.g., a deduction for a coupon). Of course, if the gift certificate is for a nontaxable service such as a haircut, manicure or facial, no sales tax is due when the certificate is redeemed. Taxable services are listed in "Taxable Services" (Tax Publication 96-259.)

CAR WASHES

Washing a car is not a taxable service under the Texas Tax Code. Groups holding car washes are not required to collect tax on their charges for this service.

Amusement Services

The sale of an amusement service provided exclusively by a nonprofit organization, other than an IRS Section 501(c)(7) organization, is exempt from sales tax. For example, the sale of an admission ticket to a school carnival, dance, athletic event or musical concert is exempt.

Periodicals and Writings

Periodicals and writings (reading materials including those presented on audio tape, videotape and computer disk) are exempt from tax if published and distributed by a religious, philanthropic, charitable, historical, scientific or other similar organization not operated for profit. A "similar" organization must be organized for a benevolent purpose and must not be operated for profit. Similar organizations include PTAs, PTOs, PTSAs and PTSOs, but exclude all public and private educational organizations.

This means that PTAs, PTOs, PTSAs and PTSOs may publish and sell printed reading materials such as yearbooks, books, calendars, directories, magazines, brochures and newsletters without collecting sales tax. The qualifying organization may issue a properly completed resale certificate to the printer in lieu of paying tax on charges for printing, binding and item placement.

Items that contain printed materials that can be read but primarily serve other purposes or functions, such as school logo t-shirts, bookmarks, photographs and novelties, are subject to sales tax *unless* sold during a qualifying and designated tax-free sale or auction.

School districts, schools and school groups, however, must collect tax on sales of printed reading materials unless the sale is designated as one of the organization's tax-free fundraisers.

Donations

A purchaser using personal funds may give an exemption certificate to vendors when buying taxable items that will be donated to a qualifying organization, such as a school, before the individual makes any use of the items. The exemption certificate must state that the taxable item is being purchased by the individual for donation to an exempt organization and must clearly identify the organization accepting the a donation (see Tax Code Section 151.155[b]). If the purchaser makes use of the item before it is donated, the purchaser is

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responsible for paying or accruing tax on the item's purchase price.

Donations (gifts) of cash or taxable items or services made to an organization are not taxable sales unless the exempt organization gives the donor a taxable item in exchange for the donation, and the item is of proportionate or equal value to the donation.

Sales to Students

Generally, other than the exemptions previously identified, schools and associated groups must collect, report and remit sales tax on taxable items that they sell or taxable services they provide to others, including sales made to students.

Schools may issue a resale certificate in lieu of paying tax to suppliers when purchasing taxable items to sell. Schools may issue an exemption certificate in lieu of paying tax when purchasing taxable items for their use or for giving away to students or others as part of a course of instruction. A district must collect tax on the sales price of taxable items when selling them to students or to others.

For example, if a school sells uniforms, gloves and shoes to drill team members, it must collect tax on the sales unless it designates their sale as one of its two one-day tax-free sales. The school may purchase the uniforms tax-free for resale to the drill team members.

The table at the bottom of the page is a short list of examples of taxable and nontaxable sales.

TAXABLE	NONTAXABLE
Rental of tangible personal property such as locks, musical instruments, calculators and computers	Rental of real property such as a gymnasium, auditorium, library or cafeteria
Horticultural products such as flower arrangements, roses, carnations, holiday greenery and poinsettias	Agricultural products (plants and seeds), the products of which ordinarily constitute food for human consumption
Cosmetology products such as shampoo, conditioner and nail polish sold to customers	Cosmetology services such as haircuts, shampoo, manicures and pedicures
Parking permits for the general public	Parking permits for public school students, faculty and staff
Animals that do not ordinarily constitute food or food products, such as hamsters, mice, cats and dogs	Farm animals such as pigs, cows, chickens and other livestock
Publications such as football, basketball or volleyball programs	Sales of advertising space in athletic programs, yearbooks, newspapers
Automobile repair parts (a separately stated charge for parts is taxable; a separately stated charge for repair labor is not taxable)	Automobile repair (a lump-sum charge for parts and labor)
Car carpet shampooing	Car washes
Magazines (single issue or subscription less than six months)	Magazine subscriptions for six months or longer

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Need More Information?

For more information, see:

- Rule 3.286, "Seller's and Purchaser's Responsibilities"
- Rule 3.322, "Exempt Organizations"
- Rule 3.293, "Food; Food Products; Meals; Food Service"
- Rule 3.298, "Amusement Services"
- Rule 3.299, "Newspapers, Magazines, Publishers, Exempt Writings"
- Tax Publication 96-122, "Exempt Organizations - Sales and Purchases" — Frequently Asked Questions section provides information about school organizations applying for exemption from state taxes.
- Tax Publication 96-259, "Taxable Services"

Please use our Texas Online Sales Tax Registration System to apply for a sales tax permit. An application also can be downloaded from our Tax Forms Online page. You can also obtain an application by calling 1-800-252-5555 or by visiting one of our enforcement field offices.

For questions about an organization's Texas tax-exempt status, please use our Texas Tax-Exempt Entity Search, write to **exempt.orgs@cpa.texas.gov**, or call Tax Assistance at 1-800-252-5555.

For information on how to apply for federal exemptions, contact the U.S. Internal Revenue Service at 1-877-829-5500 or online at **http://www.irs.gov/**.

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APPENDICES

2025-2026
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TEA & UIL
SIDE-BY-SIDE



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 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 contact:

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

Policy:	Dr. Jamey Harrison, Executive Director	info@uiltexas.org
	Dr. Kevin Jones; Policy Director	info@uiltexas.org
Compliance:	Dr. Joel Nolte, Director of Compliance Services	info@uiltexas.org
	Darryl Beasley, Director of Compliance	info@uiltexas.org
Eligibility:	Dr. Mark Cousins; Director of Eligibility & Ed.	info@uiltexas.org
Athletics:	Ray Zepeda, Director of Athletics	athletics@uiltexas.org
Music:	Dr. Bradley Kent, Director 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 about Non-UIL activities, 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.”

I. Academic Requirements (No Pass No Play)

• Eligibility for UIL Participants for the First Six Weeks
• Eligibility: After the First Six Weeks of the School Year
• Semester Grades
• Identification of Honors Courses under TAC §74.30
• 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
• 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
• STAAR Review Courses
• Incomplete Grade
• 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 Act.
• 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

II. Admission

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

III. Enrollment Requirements

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

IV. Limits on Practice and Performance

• Commissioner of Ed Reg. Limiting Contests Per School Week
• Activities Preceding Admin of Statewide Student Assessment Prog
• Eight Hour Limitation
• Practice by Ineligible Students
• UIL Regulations Limiting Contests Per Calendar Week
• Sunday Prohibition and Exceptions
• 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

V. Definition of Extracurricular Activities

VI. Extracurricular Absences

VII. First Aid/CPR/ AED Certification Requirement

VIII. Cheerleading and Drill Teams

• Try Outs/Selection Procedures
• Family Education Right to Privacy Act (FERPA)
• One Contest Per School Week
• Try Outs by Ineligible Students
• 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

IX. Other Non-UIL Activities

• Absences for Participation in Non-School Sponsored Activities
• Participation While Failing a Course
• Suspension Periods for Non-UIL/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
• Calf Scrambles
• Penalty for Participation by Ineligible Students

Examples of Eligibility Dates Related to School Holidays for 25-26

I. ACADEMIC REQUIREMENTS (NO PASS NO PLAY)

- Eligibility for UIL Participants for the First Six Weeks
- Eligibility for All Extracurricular Participants after the First Six Weeks of the School Year
- Semester Grades
- Identification of Honors Courses under TAC §74.30
- 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

ACADEMIC REQUIREMENTS Q&A

- 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
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- Athletic Classes Scheduled Outside the School Day
- Participation in Activity without Enrolling in Class
- Time Allowed for Practice

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.

A non-enrolled (home schooled) student seeking participation for the first six weeks in accordance with section 33.0832 of the Texas Education Code must demonstrate grade-level academic proficiency on any nationally recognized, norm-referenced assessment instrument, such as the Iowa Test of Basic Skills, Stanford Achievement Test, California Achievement Test, or Comprehensive Test of Basic Skills prior to the first day of school.

A non-enrolled student demonstrates the required academic proficiency by achieving a composite, core, or survey score that is within the average or higher than average range of scores, as established by the applicable testing service. For purposes of this subsection, a school district shall accept assessment results administered or reported by a third party.

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 the First Six Weeks

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. (See information for non-enrolled (home schooled) students below). 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.

Each district has the authority to adopt its own grading policy; however, the district must have a measure in place to identify what is passing. This measure is necessary not only for the purpose of determining eligibility for participation in extracurricular activities but also for the award of credit. While districts are not required to assign numeric grades, they must have a way to verify that a student has received the equivalent of a grade of 70 on a scale of 100 in accordance with TAC, §74.26(c).

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.

- In accordance with section 33.0832 of the Texas Education Code, the parent or person standing in parental relation to a non-enrolled (home schooled) student participating in a league activity on behalf of a public school must periodically, in accordance with the school's grading calendar, provide written verification to the school indicating that the student is receiving a passing grade in each course or subject being taught.
- 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 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:
    i. all College Board Advanced Placement courses and International Baccalaureate courses in all disciplines;
    ii. **English language arts:** high school/college concurrent enrollment classes that are included in the "Lower-Division Academic Course Guide Manual (Approved Courses)";
    iii. **Languages other than English:** high school/college concurrent enrollment classes that are included in the "Lower-Division Academic Course Guide Manual (Approved Courses)"; American Sign Language, Level IV; American Sign Language, Advanced Independent Study; Level IV, Intermediate Mid to Intermediate High Proficiency; Level V, Intermediate High to Advanced Mid Proficiency; Level VI, Advanced Mid to Advanced High Proficiency; Level VII, Advanced High to Superior Proficiency; Seminar in Languages Other Than English, Advanced; Classical Languages, Level IV, Novice Mid to Advanced Mid Proficiency; Classical Languages, Levels V-VII, Novice High to Superior Low Proficiency; and Seminar in Classical Languages, Advanced;
    iv. **Mathematics:** high school/college concurrent enrollment classes that are included in the "Lower-Division Academic Course Guide Manual (Approved Courses)" and Precalculus;
    v. **Science:** high school/college concurrent enrollment classes that are included in the "Lower-Division Academic Course Guide Manual (Approved Courses)"; and
    vi. **Social studies**: Social Studies Advanced Studies, Economics Advanced Studies, and high school/ college concurrent enrollment classes that are included in the "Lower-Division Academic Course Guide Manual (Approved Courses)."

b) Districts may identify additional honors courses in the subject areas of English language arts, mathematics, science, social studies, 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 Inter- scholastic 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

IDENTIFICATION OF HONORS COURSES 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. 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 any time 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.”

ACADEMIC 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 K-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.

5) **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.

6) **What standards determine the eligibility of special education students?**
    a. **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.
    b. **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.
    c. **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.
    d. **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.

7) **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].)

8) **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.

9) **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].)

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

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

12) **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 regarding time allowed for make-up work and the conditions under which make-up work are allowed.

13) **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.
    - **b.** 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.

14) **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.

15) **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.

16) **How are correspondence courses handled for academic eligibility purposes?** Regarding correspondence courses and potential 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 students.

17) **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.

18) **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.

19) **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.

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

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

22) **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.")

23) **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].)

24) **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.

25) **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.

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

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

28) **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.

II. ADMISSIONS

- Homeless Students
- Eighteen-Year-Old Students
- Public Education Grant Transfers

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 403(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 a bona fide residence (Section 442 [h]) within that school's attendance zone, or if the student fulfills one of the exceptions in Section 403 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 403, 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 Subchapter G, 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 403[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 § 403(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.

III. ENROLLMENT REQUIREMENTS

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

Enrollment Requirements FAQ

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 determining 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. 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?** Yes, if locally approved. The Texas Administrative Code does not prohibit a student from enrolling in any number of state approved courses. UIL rules specifically prohibit students from being enrolled in more than one physical education and/or athletic class; Exception (with local school approval): lifetime recreation and outdoor pursuits; PE substitutes: Partners PE, JROTC, cheerleading, drill team, marching band; innovative course: team sports officiating. 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. See section 40 of the UIL Constitution and Contest Rules for exceptions as they apply to competitions 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 (See Enrollment Requirements FAQ #7 for exceptions).
- 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 art's 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 be 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.

IV. LIMITS ON PRACTICE AND PERFORMANCE

- Commissioner of Education Regulations Limiting Contests Per School Week
- Activities Preceding Administration of Statewide Student Assessment Program
- Eight Hour Limitation
- Practice by Ineligible Students
- UIL Regulations Limiting Contests Per Calendar Week
- Sunday Prohibition and Exceptions
- 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

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 two 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

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

(ff) 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, excluding 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/Water Polo:

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 three 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:

a. After 2:30 on Friday or the last day of the school week, or as early as the end of the academic school day for all participating schools on a day preceding a holiday or break. EXCEPTION: High School: A student representing a participant school may participate in a maximum of three meets on a Thursday or Friday, or the last day of the school week with no restriction on start time.
b. Or on Saturday or school holidays;
c. Or on any school day other than the last day of the school week with the following conditions:
    1. Events shall not begin until after the end of the academic school day for all schools involved.
    2. Schools utilizing this option are limited to a one-day meet.
    3. 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.
    4. 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 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 four 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. Exception: Robotics.
2. UIL competitions may be held on Sunday, due to unavoidable circumstances which cause hardship to participating schools, provided they are approved by the UIL office.
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 EXTRACURRICULAR 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 ad- ministered.
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 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 determining whether a University Interscholastic League area, regional, or state competition must be canceled if that event conflicts with a changed testing date.

Limits on Practice and Performance 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 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 preparation of the visual curriculum for this UIL contest presentation prior to August 1. In addition, no more than fifteen hours of director-supervised instructional time was devoted to visual 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-sea- son 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].)

V. 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 paragraphs (2 and 3) 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.
   (3) A student ineligible to participate in an extracurricular activity, but who is enrolled in a state approved music course that participates in UIL Concert and Sight-reading Evaluation, may perform with the ensemble during the UIL evaluation performance.

b. 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.

VI. 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.

VII. FIRST AID/CPR/AED CERTIFICATION REQUIREMENTS

§33.086. Certification in Cardiopulmonary Resuscitation and First Aide.

https://statutes.capitol.texas.gov/Docs/ED/htm/ED.33.htm#33.086

Sec. 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, in accordance with the policy adopted under Section 21.4515, 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, Sec. 2.14(a), eff. Sept. 1, 1999. Amended by Acts 2003, 78th Leg., ch. 881, Sec. 1, eff. June 20, 2003.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 1045 (S.B. 1267), Sec. 14, eff. June 18, 2021.

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

(a) A school district shall, in accordance with the policy adopted under Section 21.4515, 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) Repealed by Acts 2021, 87th Leg., R.S., Ch. 545 (S.B. 199), Sec. 4(1), eff. September 1, 2021.

(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 (S.B. 7), Sec. 3, eff. June 15, 2007.

Amended by: Acts 2021, 87th Leg., R.S., Ch. 545 (S.B. 199), Sec. 4(1), eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 1045 (S.B. 1267), Sec. 10, eff. June 18, 2021.

Sec. 33.202. Safety Training Required.

https://statutes.capitol.texas.gov/Docs/ED/htm/ED.33.htm#33.202

Sec. 33.202. SAFETY TRAINING REQUIRED.

(a) The University Interscholastic League shall develop and adopt an extracurricular activity safety training program as provided by this section. In developing the program, the league 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 in accordance with the policy adopted under Section 21.4515:
    (1) a coach, trainer, or sponsor for an extracurricular athletic activity; and
    (2) 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 Association, or a similar organization or by the University Interscholastic League;
    (2) current training in:
        (A) emergency action planning;
        (B) communicating effectively with 9-1-1 emergency service operators and other emergency personnel; and
        (C) recognizing symptoms of potentially catastrophic injuries, including head and neck injuries, concussions, injuries related to second impact syndrome, asthma attacks, heatstroke, cardiac arrest, and injuries requiring use of a defibrillator; and
    (3) a safety drill that incorporates the training described by Subdivision (2) and simulates various injuries described by Subdivision (2)(C).

Added by Acts 2007, 80th Leg., R.S., Ch. 1296 (S.B. 82), Sec. 1, eff. June 15, 2007. Amended by:

Acts 2019, 86th Leg., R.S., Ch. 439 (S.B. 1376), Sec. 2.01, eff. June 4, 2019.

Acts 2021, 87th Leg., R.S., Ch. 1045 (S.B. 1267), Sec. 15, eff. June 18, 2021.

Acts 2021, 87th Leg., R.S., Ch. 1045 (S.B. 1267), Sec. 24(9), eff. June 18, 2021.

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: https://www.uiltexas.org/health/concussions

VIII. CHEERLEADING AND DRILL TEAMS

- Try Outs/Selection Procedures
- Family Education Right to Privacy Act (FERPA)
- One Contest Per School Week
- Try Outs by Ineligible Students
- 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

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 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.

Cheerleading and Drill Teams 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 tryouts 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? Yes, if locally approved. The Texas

Administrative Code does not prohibit a student from enrolling in any number of state approved courses. 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, and Team Sports Officiating.

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.

IX. OTHER NON-UIL ACTIVITIES

- 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
- Calf Scrambles
- Penalty for Participation by Ineligible Students

Other Non-UIL Activities FAQ

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 graduates 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.

25-26 ACADEMIC ELIGIBILITY CALENDAR INFORMATION:

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 Elig,	3 Week Evaluation*	Regain Elig.
9/12	9/19	10/3	10/10
9/19	9/26	10/10	10/17
9/26	10/3	10/17	10/24
10/3	10/10	10/24	10/31

*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).

2025-26 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 5	Jan 12	No	Jan 23	Jan 30
Jan 5	Jan 12	Yes	Jan 23	Jan 30
Jan 6	Jan 13	No	Jan 23	Jan 30
Jan 6	Jan 13	Yes	Jan 26	Feb 2
Jan 7	Jan 14	No	Jan 23	Jan 30
Jan 7	Jan 14	Yes	Jan 26	Feb 2
Jan 8	Jan 15	No	Jan 28	Feb 4
Jan 8	Jan 15	Yes	Jan 28	Feb 4
Jan 12	Jan 19	No	Jan 30	Feb 6
Jan 12	Jan 19	Yes	Jan 30	Feb 6

*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 21st. Students are on holiday from the end of school on the 21st until school resumes Monday, December 1st. 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, December 1st and the students lose/regain eligibility on Monday, December 8th at the time the school day normally ends.
- Grading period ends Tuesday, November 25th. Students are on holiday from the end of school on the 25th until school resumes Monday, December 1st. The seven-calendar day grace period begins on Tuesday, November 25th and the students lose/regain eligibility on Tuesday, December 2nd at the time the school day normally ends.

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

- Grading period ends Friday, January 16th. Students lose or regain eligibility at the end of school Friday, January 23rd. Three-week grade check is Friday, February 6th, students regain eligibility Friday, February 13th. (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 13th. Students are on holiday from the end of school on the 13th until school resumes Monday, March 23rd. 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 23rd and the students lose/regain eligibility on Monday, March 30th at the time the school day normally ends.