

Title: Eligibility for Student Activities

This policy establishes the standards by which students in grades 7-12 shall conduct themselves if they choose to take advantage of the privileges afforded them by participating in activities defined in this policy. Students participating in activities shall commit themselves to meet the standards of this policy and of the Student Code of Conduct at all times and in all places during a calendar year (365 days a year).

I. STATEMENT OF PHILOSOPHY

It is a privilege and an honor to participate in the full range of student activities provided by the Council Bluffs Community Schools. These activities and participation in them adds a great deal to each student's education by promoting good citizenship and moral character, developing discipline, wellness and skills necessary to personal success and well being and promoting the image and identity of the school and community. Students who choose to participate in activities will conduct themselves appropriately at all times both on school grounds and away from the school. The responsibility of good conduct is an extension of the responsibility to represent the school and community in an appropriate manner.

A school administrator or sponsor may declare a student in grades 7-12 ineligible to participate in an activity when the conduct of that student has been determined to be in violation of the established rules and regulations set out in this policy. Additionally, any transfer between Council Bluffs Community School District high schools for other than a legitimate change in residency shall result in 90 calendar days ineligibility for participation in varsity athletics. The 90 days of ineligibility shall begin with the first day of registration at the new school.

II. STUDENT AND PARENT/GUARDIAN AGREEMENT

Before participation in any activity is permitted, all students who wish to participate in activities shall receive a copy of this policy and shall sign an agreement indicating that they will abide by this policy. A claim of no knowledge of this policy is not grounds for appeal of disciplinary action.

III. APPLICABLE ACTIVITY PROGRAMS

This policy applies to all co-curricular and extra curricular activities, which involve public performances, meetings, ceremonies or competitions including, but not limited to:

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- 1) All athletics,
- 2) All music-speech-drama (public performances), cheerleading and pom-pom activities,
- 3) Student council and other elected offices including school royalty,
- 4) School honors and
- 5) School clubs.

The term “school activities” shall be used to include the above identified co-curricular and extra-curricular activities.

IV. APPLICATION OF ELIGIBILITY

Appropriate student behavior is required by and has an impact on all activities in which a student participates. If a student is participating in multiple activities at the same time when a violation occurs, the student loses privileges in all activities under this policy.

V. CONDUCT REQUIREMENTS

Students shall:

- 1) Abide by this policy at all times and in all places.
- 2) Abide by any additional specific rules and regulations which the coach/sponsor of the activity has established (such as training hours, attendance at practice, etc.). Students will be required to sign a copy of a document as acknowledgment of their agreement to abide by coach or sponsor rules prior to participation. Coach and/or sponsor rules and regulations must be in writing and approved annually by the building principal or activities director.

General Standard

Good conduct consists of behavior which reflects the generally accepted social and moral requirements of the community, is legal and at all times reflects respect for and sensitivity to other persons, regardless of race, religion, creed, color, gender, marital status, citizenship, geographic location, socioeconomic status, national origin, ancestry, age, physical or mental disability, sexual orientation, gender identity or any other protected trait or characteristic and a respect for their rights, property and dignity. Persons in violations of this general standard and of the District’s policy on Sportsmanship (Policy 913) are subject to penalties as defined in this policy whether or not the specific behavior is listed in the following section VI. Violations.

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VI. VIOLATIONS

Violations of this policy include, but are not limited to, the following prohibited conduct and actions.

Students shall not:

- 1) Possess, use or threaten to use any instrument that is generally considered a weapon or an imitation weapon or an explosive or an instrument used as a weapon;
- 2) Sell, manufacture or distribute illegal drugs, controlled substances, imitation controlled substances or drug paraphernalia;
- 3) Possess, use or be under the influence of illegal drugs, controlled substances, imitation controlled substances or drug paraphernalia;
- 4) Possess, use or be under the influence of alcoholic beverages;
- 5) Attend a function or party where illegal drugs are being used or where alcohol is illegally being used by minors. Attendance at a function (family celebration, wedding, graduation, etc.) where alcohol is served legally to adults of age shall not be considered a violation of the good conduct policy unless alcohol is illegally consumed or an illegal drug is consumed by the minor student or the minor student is in the presence of others who are illegally consuming alcohol or drugs, and the student knows or reasonably should know that these individuals are minors illegally consuming alcohol and/or individuals (whether minors or not) illegally consuming drugs;
- 6) Use, possess and/or transmit tobacco or imitation or substitute tobacco substances;
- 7) Damage, destroy, vandalize or steal school property and/or personal property of others or
- 8) Participate in any conduct which would be illegal in Iowa, whether or not an arrest or conviction occurs, except misdemeanor traffic violations.

VII. DETERMINATION OF VIOLATION

When it comes to the attention of school officials that a student is suspected of a violation of this policy or the rules of a specific activity, a school administrator will determine whether a violation occurred.

Prior to making the final determination that there has been a violation, a school administrator shall:

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(i) be informed of the allegation; (ii) perform an investigation; (iii) notify the student of the allegations either orally or in writing; (iv) tell the student the basis of the allegation and (v) give the student an opportunity to respond to the allegations.

If there is reasonable evidence to support the finding of a violation, the school administrator may determine that there has been a violation, whether or not criminal charges have been filed, whether a student's trial is pending-or whether or not the student is found guilty by a court of law.

Once the determination is made that a student has violated this policy, a school administrator shall make a determination of the appropriate penalty. The student and his/her parent(s)/guardian shall be verbally informed within twenty-four (24) hours, followed by written notice, of this decision (the nature of the violation and the determination of the penalty) by mailing the same to the student's residence (or other address if the parents/guardian have a different address on file for mailing purposes with the school) within two working days of the determination. In lieu of mailing, written notice may also be personally given to the parent/guardian or student. In addition, the parent(s)/guardian will be notified orally if possible. The parent/guardian, upon notification, shall be given the opportunity to meet with the school administrator and discuss the violation, its circumstances and the application of the policy.

VIII. PENALTIES FOR VIOLATIONS

The penalties listed below are for specific violations of this policy. Violations not specifically listed will result in similar consequences. Where applicable the following will be applied in addition to the specific penalties outlined in the student Code of Conduct. The coach/sponsor may also impose additional penalties pursuant to their supplementary activity-specific rules as long as the rules as established by the coach or sponsor do not exceed the periods of ineligibility as established for 612 violations. If a national sanctioning body requires a more stringent penalty as a condition of accreditation then that standard shall apply in lieu of 612. The coach/sponsor shall inform the student of the penalty within two (2) school days of the determination of a violation. A penalty for a violation is ineligibility for a definite period of time for the activity/ies to which the penalty is to be applied. The student must participate in practice during the period of ineligibility, unless the student has also been suspended under the jurisdiction of the Code of Conduct. Suspended students shall not

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otherwise be on any District grounds or property or at school activities involving the Council Bluffs Community School District. The student shall not be permitted to dress for or publicly participate in the activity.

First Offense: A student whose violation of this policy constitutes a first offense will be ineligible to participate in all activities for 14 days commencing with the first public event after notice of disciplinary action.

Second Offense: A student whose violation of this policy constitutes a second offense will be ineligible to participate in all activities for 42 days commencing with the first public event after notice of disciplinary action.

Third and Succeeding Offenses: A student whose violation of this policy constitutes a third offense or succeeding offense will be ineligible to participate in all activities for 91 days to 365 days.

The specific determination of the exact penalty within each range shall be made by taking into account factors surrounding the violations, including but not limited to: severity of violation, intent, student cooperation, injury to student or others, the potential for harm to student or others, student attitude and other matters deemed to be important factors in the specific case at the discretion of the school administrator.

Any person participating in serious misconduct as defined in Section VI, Violations, item 8, may be declared ineligible to participate in all activities for up to one calendar year for first and succeeding offenses.

If at the time of any violation the student is not currently participating in any activity, then the student's period of ineligibility shall begin with the first day of a public event in which the student registers and participates within the twelve months following the violation. If a student joins an activity with an outstanding violation and period of ineligibility, the student must register prior to the first practice date and continue participation through the last public performance in order to receive credit for satisfying the student's period of ineligibility. The student's period of ineligibility would begin from the date of registration. If the student fails to participate through the last public performance, the student's period of ineligibility would carry forward to the next activity.

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A disciplinary action may carry over from one activity to another and may carry over from one school year to the next.

Any student, upon first offense who comes forward and admits to a school administrator, coach or sponsor a violation within twenty-four (24) hours after it occurs and provides complete and accurate facts about his/her involvement, may have the penalty that would have been imposed, reduced by one-half (½). The administrator will have the sole authority and discretion to determine whether a student has complied with this section and is eligible for a penalty reduction. In the case of weekends and holidays when the school office is closed, the 24-hour period shall begin with the next date and time that the school office opens.

Offenses under Section VI, item 8, shall not be subject to any penalty reduction for self-reporting by a student.

Drug and alcohol violations shall be subject to the following additional restrictions:

First Offense: A drug/alcohol education and awareness program will be offered to the student. Student participation shall be optional.

Second and Third Offenses: An independent drug/alcohol evaluation at student expense shall be required. The school is to be furnished a copy of the evaluation. The student shall be required to participate in any treatment intervention deemed appropriate by the evaluator and to provide verification of participation. The student's failure to participate in this requirement shall result in ineligibility for one (1) calendar year.

Students who are removed from a public performance for which an academic grade is given shall be given an alternate opportunity for a grade. Under no circumstance may a student's ineligibility be waived, skipped or delayed because an academic grade is given for an event or for any other reason. Under no circumstances shall a student suffer an academic penalty because of a violation of this policy. A student may experience an academic penalty if he/she fails to appropriately complete the alternate opportunity for a grade. The alternate activity should (as closely as possible) approximate the skills and time commitment that would have been required of the student in the original public performance.

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IX. SUSPENSION/EXPULSION UNDER THE STUDENT CODE OF CONDUCT

If a student receives a disciplinary out of school suspension or expulsion because of a violation of the student Code of Conduct, in addition to ineligibility under this policy, the student will not be allowed to participate for the period of time the suspension or expulsion is in effect in any activity, including practices, meetings, competitions or performances.

In the event a student receives a disciplinary in-school suspension, the administrator will determine whether attendance at a practice, meeting and/or competition/performance is permitted during the length of the in-school suspension.

X. STUDENT APPEAL OF DISCIPLINE DECISIONS

A student may appeal the determination of a violation and/or the penalty imposed for a violation of this policy according to the procedures outlined below. Appeals other than to the Board shall be informal and a student may be accompanied by his/her parent or guardian. A student shall remain ineligible during any appeal.

APPEAL COACH'S/SPONSOR'S SUPPLEMENTARY RULES

Appeal of a coach or sponsor's supplementary rules must be submitted in writing to a building administrator within three (3) school days of the declaration or penalty. Upon receipt of the written appeal, an administrator will meet with the student as soon as possible and provide the student with an explanation of the charges. The student will be given an opportunity to rebut the charges and present evidence on the student's own behalf. The meeting will be informal. The decision shall be the administrator's and shall summarize the evidence upon which the administrator relied in making a decision. The decision shall be made and given to the student within three (3) school days of the meeting with the student. The decision in this matter shall be final.

APPEAL OF SCHOOL ACTIVITIES ELIGIBILITY POLICY

The decision of the administrator regarding a violation of this policy other than a coach or sponsor's supplementary rules may be appealed to the principal. The appeal to the principal shall be in writing and delivered to the principal or the principal's secretary within three (3) school days of receipt of the original administrator's written decision. The appeal to the principal shall specify the reasons for the appeal and all supporting information and facts. The principal shall review the results

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of the investigation conducted by the original administrator, the student's objections and supporting facts and information within three (3) school days of receipt of the written request for appeal.

The principal shall provide a written decision to the original administrator, the student and/or the student's parents/guardian within six (6) school days of receipt of the original written appeal. When student behavior results in a first offense of this policy, the principal's decision shall be final and no further appeal will be allowed. If the principal is unavailable, the Superintendent shall appoint an alternate.

When student behavior results in a second violation of this policy, the decision of the principal may be appealed to the Superintendent's office. If the Superintendent is unavailable, the Superintendent shall appoint an alternate. The appeal shall be in writing and delivered to the Superintendent's office within three (3) school days of receipt of the principal's decision. The appeal shall specify the reasons for the appeal and all supporting information and facts. The Superintendent or designee shall review the results of the investigation conducted by the principal and the student's objections within three (3) school days of receipt of the written request for appeal. The Superintendent or designee shall provide a written decision to the principal, the student and/or the student's parents/guardian within six (6) school days of receipt of the original written appeal. When student behavior results in a second offense of this policy, the Superintendent or designee's decision shall be final and no further appeal will be allowed.

When student behavior leads to disciplinary action resulting in a period of ineligibility greater than 90 days, the decision of the Superintendent or designee may be appealed to the Board of Directors. A student may be represented by legal counsel in any hearing before the District's Board of Directors or a committee appointed by the Board President. Such a hearing shall be conducted according to the hearing format outlined in 511.1, Student Suspension and Expulsion-Procedure, with the exception that the hearing may be conducted by a committee of three Board members appointed by the Board President. Such appeal shall be filed in writing within three (3) school days after the decision of the Superintendent or designee is received. A hearing shall be held as soon as reasonably practical before the Board. The decision of the Board shall be final.

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XI. SCHOLASTIC ELIGIBILITY

Any student who wishes to participate in activities defined in this policy must follow the following guidelines:

1) EXTRACURRICULAR INTERSCHOLASTIC COMPETITION /ACADEMIC ELIGIBILITY (Sanctioned by IHSAA/IGHSAU) FOR GRADES 9 - 12

The student must be in good standing and enrolled in enough courses each trimester to be on schedule to graduate within a four-year course of study. A senior must be enrolled in and passing a minimum of four credits each trimester. The student must pass all classes taken in which credit is given at the end of the trimester. If, at the end of any trimester grading period, a student receives a failing grade in any course for which credit is awarded, the student is ineligible to dress for and compete beginning with the next occurring interscholastic athletic contest and competition in which the student is a contestant extending for 30 consecutive calendar days.

2) CO-CURRICULAR/EXTRA-CURRICULAR ACADEMIC ELIGIBILITY FOR GRADES 7- 12

The student must pass all classes taken in which credit is given at the end of the trimester. If a participant does not pass all classes taken at the end of the trimester, the student is ineligible to participate for 30 consecutive calendar days in public events or contests. The period of ineligibility shall begin on the first school day of the next trimester.

3) INTERVENTIONS AND SUPPORT FOR GRADES 7 – 12

Appropriate interventions and necessary academic supports will be provided to students failing or at risk of failing. Special Education and/or students with a 504 plan will be required to be making adequate progress on the Individualized Education Program or individual 504 plan.

The District staff will check grades at the end of each mid trimester and trimester. A student must be passing all classes taken at these times in order to remain eligible. Before ineligibility, students will have a 5 school day grace period after mid trimester or trimester grades are posted to remedy any issues before the grades are deemed final. If after the five days the student is still not passing, the student is ineligible to perform or compete in public events as provided above,

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except that students shall be allowed to participate in noncompetitive public performances where such performance is required for a grade.

Students who are ineligible for a competitive public performance for which an academic grade is given shall be given an alternate opportunity for a grade. Under no circumstance may a student's ineligibility be waived, skipped or delayed because an academic grade is given for an event or for any other reason. Under no circumstances shall a student suffer an academic penalty because of a violation of this policy. However, a student may be subject to experience an academic penalty if he/she fails to appropriately complete the alternate opportunity for a grade. The alternate activity should (as closely as possible) approximate the skills and time commitment that would have been required of the student in the original public performance.

Withdrawing (W) from a class any time after 3 weeks from the beginning of the trimester will be considered a failing grade at the end of that trimester and the student will be ineligible under this policy. If a student receives an incomplete (I) grade as his/her trimester grade, the student will have 10 school days to complete missing work and will be ineligible during the 10 days. If the grade becomes an "F"(failing), the student will lose eligibility for the 30 consecutive calendar days as provided above. An "I" is only given when the earned grade would be an "F" due to missing school work that when completed will result in a passing grade for the trimester. There can be extenuating circumstances that justify giving of an "incomplete" and the extended time for completion.

XII. SCHOOL ATTENDANCE

All students who are scheduled to participate in an activity on any day that school is in session must attend at least one-half day of school on the day of the activity, unless permission to participate has been given by a school administrator.

TRANSFER STUDENTS

If a student transfers from another school district and the student has not yet (as determined by the preceding school) completed a period of ineligibility for a violation in the previous school, the student shall remain ineligible until the period of ineligibility is complete, if the administration determines that there is general knowledge in District or community of the fact of the student's

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violation in the previous school.

COMPETENT PRIVATE INSTRUCTION

Those students who are participating in Competent Private Instruction (CPI) shall be subject to the same rules of eligibility as regularly enrolled students. For CPI students, the parent/guardian shall be responsible for verifying grades and attendance for situations other than dual enrollment.

Cross References:

511, 511.1, 512-Code of Conduct,
Student Rights and Responsibilities

Legal References:

Iowa Code, Chapters 279.6; 279.8; 280.13,
.13A (2005); I.A.C. 281.12.3(8), 36.15 (1-2)
Bunger v. Iowa High School Athletic Assn.,
197 N. W.2d 555 (Iowa 1972) In re Jason
Clark, 1 D.P.I. App. Dec. 167 (1978)

Approved: Jul. 18, 1989

Reviewed: Jul. 19, 1994

Revised: May 22, 2007

June 24, 2008

Jan. 13, 2009

March 30, 2010

April 26, 2011

August 26, 2013