Sec. 1. APPLICABILITY OF UIL RULES AND SCHOOL POLICIES

A student enrolled in Midland Academy Charter who participates in an extracurricular activity or a University Interscholastic League ("UIL") competition is subject to Midland Academy Charter policy and UIL rules regarding participation only when the student is under the direct supervision of a Midland Academy Charter employee or at any other time specified by resolution of the Board. *Education Code 33.081(b).*

a) *UIL Forms*

Each student participating in an extracurricular athletic activity must complete the UIL forms entitled "Preparticipation Physical Evaluation — Medical History" and "Acknowledgement of Rules." Each form must be signed by both the student and the student's parent or guardian. *Education Code 33.203(a).*

If Midland Academy Charter offers an extracurricular athletic activity, it shall:

1. Prominently display at its administrative offices the telephone number and electronic mail address that the Commissioner maintains for reporting violations of Education Code Chapter 33, Subchapter F; and
2. Provide each student participant and the student's parent or guardian a copy of the text of Education Code 33.201–33.207 and a copy of the UIL's parent information manual. The document may be provided in an electronic format unless otherwise requested by a student, parent, or guardian.

Education Code 33.207(b), .208.

b) *Safety Training*

The UIL shall provide training to students participating in an extracurricular athletic activity related to:

1. Recognizing the 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
2. The risks of using dietary supplements designed to enhance or marketed as enhancing athletic performance.

The training must be conducted by the UIL or by another organization as determined by the UIL, including the American Red Cross, the American Heart Association, or a similar organization. *Education Code 33.202(d)–(e).*

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i. *Records*

The Superintendent shall maintain complete and accurate records of Midland Academy Charter's compliance with Education Code 33.202, and Midland Academy Charter shall make available to the public proof of compliance for each person enrolled in, employed by, or volunteering for Midland Academy Charter who is required to receive safety training described by Education Code 33.202.

A campus that is determined by the Superintendent to be out of compliance with the safety training requirements or the requirements regarding unsafe practices and safety precautions (see below) shall be subject to the range of penalties determined by the UIL.

Education Code 33.206.

c) *Safety Precautions*

A coach, trainer, or sponsor of an extracurricular athletic activity may not encourage or permit a student participant to engage in any unreasonably dangerous athletic technique that unnecessarily endangers the health of a student, including using a helmet or any other sports equipment as a weapon. *Education Code 33.204*.

A coach, trainer, or sponsor for an extracurricular athletic activity shall at each athletic practice or competition ensure that:

1. Each student participant is adequately hydrated;
2. Any prescribed asthma medication for a student participant is readily available to the student;
3. Emergency lanes providing access to the practice or competition area are open and clear; and
4. Heatstroke prevention materials are readily available.

If a student participating in an extracurricular athletic activity, including a practice or competition, becomes unconscious during the activity, the student may not:

1. Return to the activity during which the student became unconscious; or
2. Participate in any extracurricular athletic activity until the student receives written authorization for such participation from a physician.

Education Code 33.205.

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d) ***Prevention, Treatment, and Oversight of Concussions***

i. *Concussion Oversight Team*

If students participate in interscholastic athletic activity, the Board shall appoint or approve a concussion oversight team. *Education Code 38.153(a)*.

Each concussion oversight team must include at least one physician and, to the greatest extent practicable, considering factors including the population of the metropolitan statistical area in which Midland Academy Charter is located, Midland Academy Charter enrollment, and the availability of and access to licensed health-care professionals, must also include one or more of the following: an athletic trainer, an advanced practice nurse, a neuropsychologist, or a physician assistant. If Midland Academy Charter employs an athletic trainer, the athletic trainer must be a member of the concussion oversight team. If Midland Academy Charter employs a school nurse, the school nurse may be a member of the concussion oversight team if requested by the school nurse.

Each member of the concussion oversight team must have had training in the evaluation, treatment, and oversight of concussions at the time of appointment or approval as a member of the concussion oversight team. The members also must take a training course approved by the UIL, the Texas Department of Licensing and Regulation, or another appropriate licensing agency at least once every two years and submit proof of timely completion to the Superintendent or designee in accordance with Education Code 38.158.

Education Code 38.154, .158.

ii. *Return-to-Play Protocol*

Each concussion oversight team shall establish a return-to-play protocol, based on peer-reviewed scientific evidence, for a student's return to interscholastic athletics practice or competition following the force or impact believed to have caused a concussion. *Education Code 38.153(b)*.

iii. *Removal from Play*

A student shall be removed from an interscholastic athletics practice or competition immediately if one of the following persons believes the student might have sustained a concussion during the practice or competition: a coach; a physician; a licensed healthcare professional, as defined by Education Code 38.151(5); a licensed chiropractor; a school nurse; or the student's parent or guardian or another person with legal authority to make medical decisions for the student. *Education Code 38.156*.

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iv. *Required Annual Form*

A student may not participate in an interscholastic athletic activity for a school year until both the student and the student's parent or guardian or another person with legal authority to make medical decisions for the student have signed a form for that school year that acknowledges receiving and reading written information that explains concussion prevention, symptoms, treatment, and oversight and that includes guidelines for safely resuming participation in an athletic activity following a concussion. The form must be approved by the UIL. *Education Code 38.155*.

A student shall be removed from an interscholastic athletics practice or competition immediately if one of the following persons believes the student might have sustained a concussion during the practice or competition: a coach; a physician; a licensed health care professional, as defined by Education Code 38.151(5); a person licensed under Chapter 201, Occupations Code; a school nurse; or the student's parent or guardian or another person with legal authority to make medical decisions for the student. *Education Code 38.156*.

v. *Return to Play*

A student removed from an interscholastic athletics practice or competition under Education Code 38.156 may not be permitted to practice or compete again following the force or impact believed to have caused the concussion until:

1. The student has been evaluated, using established medical protocols based on peer-reviewed scientific evidence, by a treating physician chosen by the student or the student's parent or guardian or another person with legal authority to make medical decisions for the student;
2. The student has successfully completed each requirement of the return-to-play protocol established under Education Code 38.153 necessary for the student to return to play;
3. The treating physician has provided a written statement indicating that, in the physician's professional judgment, it is safe for the student to return to play; and
4. The student and the student's parent or guardian or another person with legal authority to make medical decisions for the student have acknowledged that the student has completed the requirements of the return-to-play protocol necessary for the student to return to play, have provided the treating physician's written statement to the person responsible for compliance with the return-to-play protocol and the person who has supervisory responsibilities, and have signed a consent form indicating that the person signing:
   a. Has been informed concerning and consents to the student participating in returning to play in accordance with the return-to-play protocol;
   b. Understands the risks associated with the student returning to play and will comply with any ongoing requirements in the return-to-play protocol;
   c. Consents to the disclosure to appropriate persons, consistent with the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, of the treating

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physician's written statement and, if any, the return-to-play recommendations of the treating physician; and

d. Understands the immunity provisions under Education Code 38.159.

A coach of an interscholastic athletics team may not authorize a student's return to play.

The Superintendent or designee shall supervise an athletic trainer or other person responsible for compliance with the return-to-play protocol. The person who has supervisory responsibilities may not be a coach of an interscholastic athletics team.

Education Code 38.157.

e) *Participation in UIL Activities by Students Receiving Outpatient Mental Health Students*

Midland Academy Charter may not adopt or enforce policies that restrict participation in UIL activities by a student based solely on:

1. A student receiving outpatient mental health services from a mental health facility, as defined by Health and Safety Code 571.003; or
2. A student's absence during instructional time while receiving outpatient mental health services from a mental health facility, as defined by Health and Safety Code 571.003.

This requirement does not exempt a student to whom this section applies from any other eligibility requirements for participation in UIL activities.

Education Code 33.0832.

f) *Participation in UIL Activities by Homeschool Students*

Except as provided in this section, Midland Academy Charter may provide a non-enrolled student who is homeschooled, as described by Education Code 29.916(a)(1), and who otherwise meets UIL eligibility standards, with an opportunity to participate in the UIL activity on behalf of Midland Academy Charter in the same manner as Midland Academy Charter provides the opportunity to participate to students enrolled in Midland Academy Charter.

A non-enrolled student who is homeschooled who seeks to participate in a UIL activity on behalf of Midland Academy Charter is subject to the following relevant policies that apply to students enrolled in Midland Academy Charter:

1. Registration for UIL activities;
2. Age eligibility;
3. Fees;
4. Insurance;

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5. Transportation;
6. Physical condition;
7. Qualifications;
8. Responsibilities;
9. Event schedules;
10. Standards of behavior; and
11. Performance.

A non-enrolled student who is homeschooled may only participate in a UIL activity on behalf of Midland Academy Charter only if the student would be eligible to attend Midland Academy Charter based on the student's residential address. The non-enrolled student must establish minimum proof of residence acceptable to Midland Academy Charter in the same manner as an applicant to attend Midland Academy Charter.

The parent or person standing in parental relation to a non-enrolled student who is homeschooled is responsible for oversight of academic standards relating to the student's participation in a UIL activity.

As a condition of eligibility to participate in a UIL activity during the first six weeks of a school year, a non-enrolled student who is homeschooled 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. 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 paragraph, Midland Academy Charter shall accept assessment results administered or reported by a third party. A non-enrolled student's demonstration of academic proficiency under this paragraph is sufficient for the school year in which the student achieves the required score and the subsequent school year.

After the first six weeks of a school year, the parent or person standing in parental relation to a non-enrolled student participating in a UIL activity on behalf of Midland Academy Charter must periodically, and in accordance with Midland Academy Charter's grading calendar, provide written verification to Midland Academy Charter indicating that the student is receiving a passing grade in each course or subject being taught.

A non-enrolled student is not authorized to participate in a UIL activity on behalf of Midland Academy Charter during the remainder of any school year during which the student was previously enrolled in a public school.

A non-enrolled student who participates in a UIL activity on behalf of Midland Academy Charter is subject to the immunization requirements and exceptions of Education Code 38.001 in the same manner as a public school student.

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Education Code 33.0832.

Sec. 2. CARDIAC ASSESSMENT OF HIGH SCHOOL PARTICIPANTS IN EXTRACURRICULAR ATHLETIC ACTIVITIES

To the extent required by the UIL, Midland Academy Charter will provide a student who is required under UIL rule or policy to receive a physical examination before being allowed to participate in an athletic activity sponsored or sanctioned by the UIL information about sudden cardiac arrest and electrocardiogram testing and notification of the option of the student to request the administration of an electrocardiogram in addition to the physical examination.

A student may request an electrocardiogram from any health professional, including a health care professional provided through a health care professional chosen by the parent or person standing in parental relation to the student, provided the health care professional is:

1. Appropriately licensed in Texas; and
2. Authorized to administer an interpret electrocardiograms under the health care professional's scope of practice, as established by the health care professional's Texas licensing act.

This section does not create a cause of action or liability or a standard of care, obligation, or duty that provides a basis for a cause of action or liability against a health care professional, the UIL, or a Midland Academy Charter employee or officer for:

1. The injury or death of a student participating in or practicing for an athletic activity sponsored or sanctioned by the UIL based on or in connection with the administration or interpretation of or reliance on an electrocardiogram; or
2. The content or distribution of the information required under this section or the failure to distribute the required information under this section.

Education Code 33.096.

Sec. 3. MILITARY DEPENDENTS

Midland Academy Charter shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified. *Education Code 162.002 art. VI, § B*.

Sec. 4. SUSPENSION FROM EXTRACURRICULAR ACTIVITIES

A student shall be suspended from participation in any extracurricular activity sponsored or sanctioned by Midland Academy Charter or the UIL after a grade evaluation period in which the

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student received a grade lower than the equivalent of 70 on a scale of 100 in any academic class other than a course described below at "Exempt Courses."

a) ***Length of Suspension***

A suspension continues for at least three school weeks and is not removed during the school year until the conditions of Education Code 33.081(d) are met. A suspension shall not last beyond the end of a school year.

b) ***Grade Evaluation Period***

"Grade evaluation period" means:

1. The six-week grade reporting period; or
2. The first six weeks of a semester and each grade reporting period thereafter, in the case of a district with a grade reporting period longer than six weeks.

Education Code 33.081(c).

c) ***School Week***

For purposes of this policy, the school week is defined as beginning at 12:01 a.m. 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. *19 TAC 76.1001(b).*

d) ***Exempt Courses***

The suspension and reinstatement provisions of Education Code 33.081(c) and (d) do not apply to an advanced placement or international baccalaureate course, or to an honors or dual credit course in the subject areas of English language arts, mathematics, science, social studies, economics, or a language other than English.

The following are honors classes for purposes of eligibility to participate in extracurricular activities:

1. All College Board Advanced Placement courses and International Baccalaureate courses in all disciplines;
2. English language arts: high school/college concurrent enrollment classes that are included in the "Lower-Division Academic Course Guide Manual (Approved Courses)";
3. Languages other than English: high school/college concurrent enrollment classes that are included in the "Lower-Division Academic Course Guide Manual (Approved Courses)" and languages other than English courses Levels IV–VII;

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4. Mathematics: high school/college concurrent enrollment classes that are included in the "Lower-Division Academic Course Guide Manual (Approved Courses)" and precalculus;
5. Science: high school/college concurrent enrollment classes that are included in the "Lower-Division Academic Course Guide Manual (Approved Courses)"; and
6. 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)."

Midland Academy Charter 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 purposes of extracurricular eligibility, but must identify such courses before the semester in which any exemptions related to extracurricular activities occur.

Midland Academy Charter is neither required to nor restricted from considering courses as honors for the purpose of grade point average calculation.

Education Code 33.081(d-1); *19 TAC 74.30*.

e) *Students with Disabilities*

In the case of a student with a disability that significantly interferes with the student's ability to meet regular academic standards, suspension must be based on the student's failure to meet the requirements of the student's individualized education program ("IEP"). The determination of whether the disability significantly interferes with the student's ability to meet regular academic standards must be made by the admission, review, and dismissal ("ARD") committee.

For the purposes of this provision, "student with a disability" means a student who is eligible for Midland Academy Charter's special education program under Education Code 29.003(b).

Education Code 33.081(e).

f) *Practice or Rehearsal*

A student suspended under Education Code 33.081 may practice or rehearse with other students for an extracurricular activity but may not participate in a competition or other public performance. *Education Code 33.081(f)*.

g) *Reinstatement*

Until the suspension is removed or the school year ends, Midland Academy Charter shall review the grades of a student at the end of each three-week period following the date on which the suspension began. At the time of a review, the suspension is removed if the student's grade in each class, other than a course described above at "Exempt Courses," is equal to or greater than the

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equivalent of 70 on a scale of 100. The principal and each of the student's teachers shall make the determination concerning the student's grades. *Education Code 33.081(d)*.

Sec. 5. ATTENDANCE AND PARTICIPATION

Midland Academy Charter shall make no distinction between absences for UIL activities and absences for other extracurricular activities approved by the Board. A student shall be allowed in a school year a maximum of ten extracurricular absences not related to post-district competition, a maximum of five absences for post-district competition prior to state, and a maximum of two absences for state competition.

a) *State Board of Education Rules*

The following provisions apply to any UIL activity.

Other organizations requiring student participation that causes a student to miss a class may request sanction from the Board. If sanctioned by resolution of the Board, student participation in the organization's activities shall be subject to all provisions of 19 TAC 76.1001. If the Board does not grant sanction, any absences incurred by a student while participating with that organization's activities shall be subject to the attendance provisions of the Education Code. *19 TAC 76.1001(f)*.

b) *Extracurricular Activities*

An extracurricular activity is an activity sponsored by the UIL, the Board, or an organization sanctioned by Board resolution. The extracurricular 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 (except as described below), contests, demonstrations, displays, and club activities. In addition, an extracurricular activity is subject to this policy if any one of the following criteria applies:

1. The activity is competitive;
2. The activity is held in conjunction with another activity that is considered extracurricular;
3. The activity is held off-campus, except in a case in which adequate facilities do not exist on campus;
4. The general public is invited; or
5. An admission is charged.

i. *Exception – Public Performances*

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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 if:

1. Only item 4, above, applies; and
2. The requirement for student participation in public is stated in the essential knowledge and skills of the course.

ii. *State-Approved Music Courses*

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.

19 TAC 76.1001(a).

a) *Limits on Participation and Practice*

i. *During the School Week*

Limitations on practice, rehearsal, and student participation during the school week shall be as follows:

1. For any given extracurricular activity, a student may not participate in more than one extracurricular activity per school week, excluding holidays, except as provided in item 2, below.
2. 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, Midland Academy Charter must limit students to a maximum of eight hours of practice and rehearsal outside the school day per school week.
4. If possible, Midland Academy Charter should avoid scheduling extracurricular activities or public performances on the day or evening immediately preceding the day on which the statewide student assessment program is scheduled for grades 3–11.

19 TAC 76.1001(d); *Education Code 33.081(a).*

ii. *During the School Day*

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

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1. Midland Academy Charter must limit a student to one period of practice during the regularly scheduled school day for practice of extracurricular activities, such as athletics, drill team, or cheerleading.
2. The limit in item 1 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 for no more than one period during the school day.
3. A student may not be permitted to miss a scheduled academic class to practice for an unrelated extracurricular activity.
4. Midland Academy Charter 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.
5. Midland Academy Charter 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.

19 TAC 76.1001(d); *Education Code 33.081(a)*.

b) *Record of Absences*

Midland Academy Charter shall maintain an accurate record of extracurricular absences for each student each school year. *19 TAC 76.1001(c)*.

Sec. 6. APPLICABILITY OF SCHOOL POLICY STUDENT CODE OF CONDUCT

Students are subject to Midland Academy Charter policies and rules, including the Student Handbook and Student Code of Conduct, at any time the student is traveling to, participating in, attending an extracurricular or school-related event or activity on or off Midland Academy Charter property, or when under the direct supervision of a Midland Academy Charter employee.

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