

Private School Students – Access to Public School Co-curricular, Interscholastic and Extra-curricular Activities

The Board recognizes that Maine Law sets standards for access to public school co-curricular, interscholastic and extra-curricular activities by students enrolled in equivalent instruction programs in private schools.

For the purpose of this policy “students enrolled in equivalent instruction program” means a student otherwise eligible to attend school in that school administrative unit, including a student who resides in an unorganized territory, when the student is enrolled in an equivalent instruction.

**PARTICIPATION IN CO-CURRICULAR ACTIVITIES**

For the purpose of this policy, “co-curricular activities,” are activities that are sponsored by the school, are directly related to the curriculum and support achievement of the learning standards established by law, Board policy and or administrative action. Examples of such activities include, but are not limited to, the math club, science fairs, and foreign language clubs.

A student enrolled in an equivalent instruction program as defined in this policy is eligible to participate in co-curricular activities sponsored by MSAD 52 provided that:

- A. The student or his/her parent/guardian applies in writing to and receives written approval from the school principal/designee.
- B. The student currently meets and agrees to meet established behavioral, disciplinary, attendance, and other rules applicable to all students.
- C. The private school that the student attends does not provide the same co-curricular activity.

The principal/designee may withhold approval only if the school does not have the capacity to provide the student with the opportunity to participate in the co-curricular activity.

If approval is withheld, the principal/designee will provide a written explanation to the student or student’s parent/guardian stating the reason for the decision to withhold approval.

**PARTICIPATION IN EXTRA-CURRICULAR ACTIVITIES**

For the purpose of this policy, “extra-curricular activities,” are school-sponsored activities for which participants are selected by staff supervising the activities, including those teams, both athletic and academic, that participate in interscholastic competition.

A student enrolled in an equivalent instruction program as defined in this policy is eligible to try out for extra-curricular and interscholastic activities sponsored by MSAD 52 provided that the following requirements are met:

- A. The student applies for and receives written approval from the principal/designee.
- B. The student agrees to abide by equivalent rules of participation as are applicable to regularly enrolled students participating in the activity and provides evidence that the rules of participation are being met.
- C. The student complies with the same physical examination, immunization, insurance, age, and semester eligibility requirements as regularly enrolled students participating in the activity. All required documentation must be made available upon request by MSAD 52.
- D. The student meets equivalent academic standards as those established for regularly enrolled students participating in the activity and provides evidence that the academic standards are being met.
- E. The student abides by the same transportation policy as regularly enrolled students participating in the activity.
- F. The private school the student attends does not provide the same extra-curricular or interscholastic activity.

The principal/designee will be responsible for approving or withholding approval of applications to try out for an extra-curricular activity. The principal/designee may withhold approval only if the school does not have the capacity to provide the student with the opportunity to participate in the extra-curricular activity.

If approval is withheld, the principal/designee will provide a written explanation to the student or the student's parent/guardian stating the reason for the decision.

The criteria for selection of participants shall be determined by the staff members (coaches, advisors and their supervisors) responsible for the activities. Tryouts are by nature competitive. Eligibility to try out does not guarantee participation.

Decisions resulting in non-selection of individual students shall not be subject to appeal or reconsideration unless they are in violation of law or Board policy.

#### VERIFICATION OF ELIGIBILITY

To permit verification that the student has met eligibility requirements under this policy, the student's parent (or the student, if 18 years old) must authorize the private school to provide to the principal all information necessary to determine whether the student meets the requirements.

#### DELEGATION OF AUTHORITY

In order to maintain an efficient and orderly method for processing applications for participation, the Board authorizes the Superintendent/designee to develop procedures, as appropriate, for the principal/designee's use in determining whether students have met eligibility requirements and for granting or withholding approval of participation.

MSAD 52 has no obligation to notify or provide information concerning eligibility for participation in school-sponsored co-curricular, interscholastic or extra-curricular activities to students enrolled in equivalent instruction in private schools.

## APPEALS

Except as otherwise provided by this policy, appeals from administration and application of the Board policy are heard by the Board, whose decision is final and binding. Appeals that question the Board's policy compliance with legal requirements must be made to the Commissioner, whose decision is final and binding.

Legal Reference: 20-A MRSA §§ 2901, 5001-A, 5021-A(3)

Cross Reference: KE – Public Concerns and Complaints

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