

**I. Procedure Name: Reinstatement of Student Athletic Eligibility**

**II. Basic Procedure:**

These operational procedures establish the process for the eligibility review of any student athlete who transfers to a school within the Escambia County School District during the school year and has previously participated in that sport during the same school year at their previous school.

Approval of a student transfer by the Office of School Choice does not constitute approval for the student to participate in athletics and requires a separate eligibility review and approval as stated below:

Any student enrolled in the school district who participated or wishes to participate in any Florida High School Athletic Association (FHSAA) sanctioned high school athletic program will be defined as a "student athlete" by the district. In addition to reinstating athletic eligibility, student athletes must meet all requirements for participation set forth by the FHSAA.

**A student who transfers from one school to another during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extracurricular activity has not reached the activity's identified maximum size, provided the coach for the activity determines that the student has the requisite skill and ability to participate. The student may not be declared ineligible because the student did not have the opportunity to comply with qualifying requirements (HB 7029) and provided the student qualifies under one of the following: FHSAA Bylaw 9.3.2.1, Bylaw 9.3.2.2, or Bylaw 9.3.2.3.**

**The student athlete shall not participate in any athletic program until the student and his/her parents/guardians have applied for reinstatement of student athlete eligibility and the eligibility review process is complete.**

It is the responsibility of the parents/guardians and student athlete to submit the Student Athlete Eligibility Review (SAER) Form for any sport in which the student athlete wishes to participate after transferring to a new school within the Escambia County School District and has been determined to be ineligible.

The student athlete eligibility review process includes submission of a Student Athlete Eligibility Review Form and all relevant information and documentation which supports the request for reinstatement of athletic eligibility. A copy of the eligibility review form is located online at <http://ecsd-fl.schoolloop.com/athletics> or on all high school websites. The eligibility review form shall be submitted to the athletic director at the high school you are attending. Upon receipt the request will be forwarded to the Student Athlete Eligibility Review (SAER) committee, which consists of the District Athletic Director (Chairman), District Investigator, School Choice Coordinator, Student Services Coordinator, a rotating School Administrator and a rotating School Athletic Director.

If the request for reinstatement is based on criteria listed in FHSAA Bylaw 9.3.2.3 and the required military or other court orders are included, the SAER Committee may deliberate and render a decision to reinstate eligibility or not by email or conference call.

If the SAER Committee requires additional information or if the request for reinstatement is based on the "Authorized for Good Cause by District Policy", the SAER Committee may schedule a time for the parents/guardians to appear before the committee to present any additional documentation or discuss reasons for "Undue Hardship". All submissions will be reviewed by the SAER committee. Parents/Guardians are not required to attend the SAER committee review.

**All eligibility reviews will be processed within ten (10) working days. Committee results will be forwarded to the Principal, Athletic Director, and Head Coach (sport specific) of the receiving school for informational purposes only. Parents/guardians will also receive notification of the committee's decision.**

**The SAER committee will consider the following FHSAA Bylaw to reinstate athletic eligibility.**

**A. Bylaw 9.3.2.3 Exception.** A student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one of the following criteria (HB 7029):

- (a) Dependent children of active duty military personnel whose move resulted from military orders.
- (b) Children who have been relocated due to a foster care placement in a different school zone.
- (c) Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
- (d) Authorized for good cause in district or charter school policy.

The following exemptions may be granted by the district to a student who transfers schools and wishes to continue participating in the same sport at the new school:

- (1) Reassignment by District School Board or Charter School Board as long as the reassignment is not for athletic or disciplinary reasons and is not requested by the student or his/her parents or legal guardian.
- (2) Special assignment by the Superintendent, School Choice Office, etc.
- (3) Relocation to a new residence due to a move by the student and a person or person(s) with whom he/she has been previously living that makes it necessary for the student to attend a different school. Move defined by FHSAA Bylaw 9.3.2.1
- (4) Transfer of school within the first ten days of the semester – i.e. acceptance to a previously applied for magnet program, academy, charter school, or private school.
- (5) Undue hardship.

**April 20, 2018**

The following inclusion to the ECSD Authorized for Good Cause Policies will become effective immediately.

Any student athlete that transfers schools with the approval of ECSD prior to the beginning of spring football practice and meets all other FHSAA and ECSD eligibility requirements **will be eligible to participate** in the spring game at the new school of residence.

In any of the aforementioned situations, a certified copy of the court order, a copy of the petition upon which the order is based, and other evidence in which the court has considered for issuing an order must be provided to the SAER for review.

### **Undue Hardship**

This exception only applies to demonstrated hardship as shown by the student for purposes of this exception. A demonstrated hardship shall include, but not limited to financial hardship; family hardship; and/or academic hardship. A lack of choice or curriculum does not qualify for academic hardship under this section.

### **General Regulations**

- A. The burden of proof shall be on the student athlete to demonstrate to the SAER committee through testimony and documented evidence that one or more of the exceptions has been met. Only evidence that is relevant according to the criteria for exceptions shall be considered by the SAER committee.
- B. Fraudulent, false, or erroneous information provided to the school and/or school district by the parents/guardians and/or student will result in the student athlete being prohibited from participating in athletics for one calendar year from the date in which the information is submitted. Such actions will also result in the student athlete being enrolled in their residentially zoned school. If the district deems that school reassignment is necessary, it will occur at the time determined to be most educationally appropriate for the student athlete. Any fraudulent, false, or erroneous information submitted for review and consideration will be submitted to FHSAA for consideration of disciplinary action.

### **SAER Committee Decision Final**

The decisions rendered by SAER are considered final. A request for an appeal can be submitted in writing to the Superintendent for further consideration. This written notice sets forth the basis of an appeal as it relates to the decision of the SAER committee. The Superintendent shall only consider evidence present at the time of the initial eligibility review and the decision of the SAER committee. If new evidence is deemed relevant after the decision of the SAER committee is rendered, the new evidence shall be remanded back to the SAER committee solely for the purpose of considering the new information. The Superintendent shall review the appeal within thirty (30) days.