

PRIVATE SCHOOL STUDENTS ACCESS TO PUBLIC SCHOOL
CO-CURRICULAR ACTIVITIES

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

For the purpose of this policy, “student enrolled in equivalent instruction program” means a student otherwise eligible to attend school in that school administrative unit, when the student is enrolled in an equivalent instruction program in a private school that:

- A. Is recognized as an equivalent instruction alternative under 20-A MRSA § 5001-A(3)(1)(a) or (b) (i.e., a private school approved for attendance purposes under 20-A MRSA § 2901 or a private school recognized by the Department of Education as providing equivalent instruction); and
- B. Is not a member of an association that promotes, organizes or regulates statewide interscholastic activities in both public and private schools.

PARTICIPATION IN COCURRICULAR ACTIVITIES

A student enrolled in an equivalent instruction program as defined in this policy is eligible to participate in co-curricular activities sponsored by the South Portland School Department so long as:

- A. The student or his/her parent/guardian applies in writing to and receives written approval from the school principal/designee; and
- B. The student currently meets, and agrees to meet in the future, established behavioral, disciplinary, attendance and other rules applicable to all students.
- 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 the school unit.
- 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.

The principal/designee has reasonable discretion to grant or withhold approval based on factors including: whether the activity is at capacity with enrolled students, additional costs that would be caused by the student’s participation, the student’s behavioral and academic record provided by the private school, safety, and any other factors that involve the best interests of the school. The principal/designee’s decision shall not be subject to appeal or reconsideration unless it is in violation of the law or a Board policy.

After the approval of the principal/designee, 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.

The South Portland School Department has no obligation to notify or provide information concerning eligibility for participation in school-sponsored co-curricular, interscholastic or extracurricular activities to students enrolled in equivalent instruction in private schools.

APPEALS

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: IGDJ
IGDJ-R
JJIAA-R

Adopted: June 11, 2012