

TEXAS EDUCATION CODE  
CHAPTER 33. SERVICE PROGRAMS AND EXTRACURRICULAR ACTIVITIES  
SUBCHAPTER D. EXTRACURRICULAR ACTIVITIES

**TEC, §33.081. EXTRACURRICULAR ACTIVITIES.**

- (a) The State Board of Education by rule shall limit participation in and practice for extracurricular activities during the school day and the school week. The rules must, to the extent possible, preserve the school day for academic activities without interruption for extracurricular activities. In scheduling those activities and practices, a school district must comply with the rules of the board.
- (b) A student enrolled in a school district in this state or who participates in an extracurricular activity or a University Interscholastic League competition is subject to school district policy and University Interscholastic League rules regarding participation only when the student is under the direct supervision of an employee of the school or district in which the student is enrolled or at any other time specified by resolution of the board of trustees of the district.
- (c) A student who is enrolled in a school district in this state or who participates in a University Interscholastic League competition shall be suspended from participation in any extracurricular activity sponsored or sanctioned by the school district or the University Interscholastic League after a grade evaluation period in which the student received a grade lower than the equivalent of 70 on a scale of 100 in any academic class other than a course described by Subsection (d-1). A suspension continues for at least three school weeks and is not removed during the school year until the conditions of Subsection (d) are met. A suspension does not last beyond the end of a school year. For purposes of this subsection, "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.
- (d) Until the suspension is removed under this subsection or the school year ends, a school district shall review the grades of a student suspended under Subsection (c) 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 by Subsection (d-1), is equal to or greater than the 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.
- (d-1) Subsections (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 agency

shall review on a biennial basis courses described by this subsection to determine if other courses should be excluded from the requirement that a student be suspended from participation in an extracurricular activity under Subsection (c). Not later than January 1 of each odd-numbered year, the agency shall report the findings under this subsection to the legislature.

- (e) Suspension of a student with a disability that significantly interferes with the student's ability to meet regular academic standards must be based on the student's failure to meet the requirements of the student's individualized education program. The determination of whether a disability significantly interferes with a student's ability to meet regular academic standards must be made by the student's admission, review, and dismissal committee. For purposes of this subsection, "student with a disability" means a student who is eligible for a district's special education program under Section [29.003\(b\)](#).
- (e-1) A student who is enrolled in a school district in this state or who participates in a University Interscholastic League competition shall be prohibited from participation in any future extracurricular activity sponsored or sanctioned by the school district or the University Interscholastic League if the state executive committee of the league determines that the student intentionally, knowingly, or recklessly causes bodily injury to a person serving as referee, judge, or other official of an extracurricular activity in retaliation for or as a result of the person's actions taken in performing the duties of a referee, judge, or other official of the extracurricular activity.
- (e-2) A student prohibited from participation in an extracurricular activity under Subsection (e-1) may submit to the University Interscholastic League a request that the student be permitted to participate in future extracurricular activities sponsored or sanctioned by the University Interscholastic League if:
  - (1) the request is submitted at least:
    - (A) one year after the date the student engaged in the conduct that resulted in the prohibition under Subsection (e-1) if the student was enrolled in eighth grade or below at the time of the conduct; or
    - (B) two years after the date the student engaged in the conduct that resulted in the prohibition under Subsection (e-1) if the student was enrolled in ninth grade or above at the time of the conduct;
  - (2) the student:
    - (A) completed a course in anger management since engaging in the conduct that resulted in the prohibition under Subsection (e-1);

- (B) completed any other course, activity, or action required by the school district in which the student is enrolled as a result of the conduct that resulted in the prohibition under Subsection (e-1); and
  - (C) demonstrates, to the satisfaction of the school district and the University Interscholastic League, that the student has been rehabilitated and is unlikely to again engage in the conduct described by Subsection (e-1); and
- (3) a previous request submitted by the student under this section has not been denied during the school year in which the request is submitted.
- (e-3) When determining whether to grant a request under Subsection (e-2), the University Interscholastic League:
  - (1) shall take into account the severity of the conduct that resulted in the prohibition under Subsection (e-1); and
  - (2) may set conditions for the student's future participation in extracurricular activities.
- (e-4) The University Interscholastic League may prohibit a student from participating in any future extracurricular activity sponsored or sanctioned by the University Interscholastic League if the student violates a condition set by the University Interscholastic League under Subsection (e-3)(2).
- (f) Except for a student prohibited from participation under Subsection (e-1), a student suspended under this section may practice or rehearse with other students for an extracurricular activity but may not participate in a competition or other public performance.
- (g) An appeal to the commissioner is not a contested case under Chapter 2001, Government Code, if the issues presented relate to a student's eligibility to participate in extracurricular activities, including issues related to the student's grades, the school district's grading policy as applied to the student's eligibility, or the student's eligibility based on conduct described by Subsection (e-1). The commissioner may delegate the matter for decision to a person the commissioner designates. The decision of the commissioner or the commissioner's designee in a matter governed by this subsection may not be appealed except on the grounds that the decision is arbitrary or capricious. Evidence may not be introduced on appeal other than the record of the evidence before the commissioner.
- (h) A request made under Subsection (e-2) is not a contested case subject to Chapter 2001, Government Code.