

August 1, 2016

MEMORANDUM

TO: All County Extension Agents

SUBJECT: **EXTRACURRICULAR ACTIVITIES AND 4-H ELIGIBILITY ISSUES**

As an educational agency, Texas A&M AgriLife Extension Service supports the Texas Education Code and academic responsibility of student 4-H members. The dedication of Extension faculty to see that 4-H members comply with the provisions of the Texas Education Code is important to the effective adherence of the rule among our 4-H members. Extension faculty must be dedicated to complying with the Texas Education Code requirements in order for the Texas 4-H Program to maintain the status of an extracurricular organization.

The Commissioner of Education is not authorized to approve extracurricular organizations outside of school sponsored or UIL sponsored groups. Local Boards of Trustees are responsible for the sanctioning and approval of outside organizations as "extracurricular organizations" for their individual districts. Therefore, it is imperative for county Extension agents to ensure 4-H is designated as an extracurricular organization in each of the individual school districts residing in the county.

Continuing on September 1, 2016, all 4-H youth, including youth in public, private, and/or home school, must adhere to the following guidelines regarding extracurricular activities and academic eligibility:

Complete a "Declaration of Eligibility Form"

Or

Name of 4-H member must appear on a list of eligible students to participate in a specific extracurricular activity signed by the school principal or designee.

Consistent with the UIL rules, the Texas 4-H Youth Development Program has adopted a three (3) school week waiting period upon change in status of school enrollment (i.e. from public to private or private to home or home to public or home to private) before the 4-H member is eligible for extracurricular activity. *As a result of the 84th Legislation, no significant changes were made in TEA or UIL rules and procedures.*

School districts requiring that Texas A&M AgriLife Extension Service employees be screened or have proof of screening is occurring statewide. Mrs. Jennifer Humphries, Director of Human Resource Services, can work with you to get proof of agency employee screening and your status. Some school districts are also requiring finger printing. Our employees must abide by their requirements to receive adjunct faculty status.

Please remember, all 4-H members must be officially enrolled (in an "active" status on 4-H Connect) to be considered an official 4-H member. No excused absences can be requested for any youth who is not enrolled in the official 4-H enrollment system (4-H Connect).

SPECIAL ATTENTION:

As a reminder, the 76th Legislature House Bill 3573, had three significant changes in regards to extracurricular activities and student eligibility. These changes are highlighted below:

- a. Authorizes the Commissioner of Education (instead of the State Board of Education) to adopt for extracurricular activities and to approve or disapprove UIL rules and procedures. (TEC §7.102)
- b. Suspension period of "no pass, no play" changed to 3 school weeks from 3 weeks. (TEC§7.102)

-over-



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- c. Authorizes local boards of trustees to adopt policies that establish the number of times that students may be absent to participate in extracurricular activities. It also requires that the policies allow at least ten absences for extracurricular participation but does not cap the maximum number of days that may be missed for extracurricular participation. (TEC §33.0811)
- d. A minor change has been made in interpreting "Disciplinary Alternative Education Programs (DAEP)." See *Attachment F*.

Please take time to review each of the enclosed attachments.

- 1. Texas Education Code (No Pass, No Play) Compliance Procedures for 4-H in Texas (*Attachments A, A-1, A-2, A-3, A-4, A-5, A-6, and A-7*)
- 2. Recommended Procedures for Securing Texas Education Code (No Pass, No Play) Eligibility Information for 4-H Members to Participate in a Competitive 4-H Event. (*Attachment B*)
- 3. Recommended Procedures for Securing Eligibility Information and Excused Absences for 4-H Members to Participate in Any 4-H Event or Activity That Would Require Them to be Absent From School. (*Attachment C*)
- 4. Declaration of Eligibility Form Guidelines (*Attachment D*)
- 5. TEA-UIL Side-by-Side. (*Attachment E – Can be downloaded from www.uiltexas.org/policy/tea-uil-side-by-side* Additional updates to this document will be made as information becomes available.)
- 6. DAEP Placement and Participation in School Activities (*Attachment F*)


You will want to immediately update your files and replace them with these documents. It is critically important for all Extension faculty to become familiar with the contents of these materials in order to assure the Texas 4-H Youth Development Program complies with the Texas Education Code.

Please feel free to contact either one of us in the event that you have questions or concerns regarding this matter.

Sincerely,



Chris T. Boleman, PhD, CVA
Assistant Agency Director and State Leader for
4-H Youth Development



Jeff Ripley
Associate Agency Director for County Operations

CTB:SBF:sbf
Attachments

cc:	Dr. Doug Steele	Regional Program Leaders –ANR & 4H
	Dr. Susan Ballabina	Regional Program Leaders – FCS & 4-H
	Dr. Travis Miller	County Extension Directors
	Mrs. Jennifer Hobbs	Texas 4-H Faculty
	District Extension Administrators	

ADJUNCT FACULTY AGREEMENT
(SAMPLE)

1. We encourage a plan for cross-county CEA joint appointments to consolidate travel and supervisory responsibilities at major livestock shows.
2. Remember, when you have youth chosen for National 4-H Congress, National 4-H Conference, or Texas 4-H Leadership Conference, include one of the chaperones on your adjunct list.

THE STATE OF TEXAS
COUNTY OF _____

On this date, at a regularly scheduled and posted meeting, came the Board of Trustees of the _____ Independent School District, hereinafter referred to as "District." A quorum having been established, the Board proceeded to consider the appointment of the herein named individual as an adjunct member of the _____ Independent School District.

Upon consideration and vote of _____ in favor, _____ is hereby named as adjunct faculty member of the _____ Independent School District subject to the following considerations and provisions of such appointment to wit:

1. This appointment shall commence on the _____ day of _____ and end on the day _____ of _____, being the end of the 2015-2016 academic year.
2. Adjunct faculty member will receive no compensation, salary, or remuneration from _____ Independent School District.
3. Adjunct faculty member is and shall remain an employee, in good standing, of the Texas A&M AgriLife Extension Service.
4. Adjunct faculty member shall be under the direct supervision of either the District Extension Administrator of District _____ or _____ County Extension Director.
5. Adjunct faculty member shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any and all other plans for the benefit of Texas A&M AgriLife Extension Service employees. District shall have no responsibility for any of such benefits or plans.

Adjunct faculty member shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty members for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of Texas A&M AgriLife Extension Service pursuant to the supervisory authority of the District Extension Administrator or County Extension Director. Adjunct faculty member is not the employee of the School District, and School District does not nor shall not supervise, direct or control the activities and/or participation of such _____ County Extension Agent(s) who have/has been herein designated as an adjunct faculty member.

This appointment is made by the Independent School District by and through the Board of Trustees of said district for the benefit of allowing voluntary student participation in programs conducted by the Texas A&M AgriLife Extension Service in recognition of the educational benefits arising from such participation and activities and/or directed by the Texas A&M AgriLife Extension Service. This appointment is made in accordance with the provisions of Section 129.21 (k)(1) of the Texas Administrative Code authorizing the school to deem such participating students in attendance for foundation school program purposes.

This appointment of the herein named _____ County Extension Agent(s) (Extension employee) is/are not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by _____ Independent School District or any of its employees, agents, officers, and/or board members in the performance of governmental functions.

Signed this _____ day of _____, 2015.

_____ Independent School District

By: _____

Adjunct Faculty Appointment Accepted By:

County Extension Agent(s)

Approved:

County/District Extension Administrator, District _____
Texas A&M AgriLife Extension Service

TEXAS EDUCATION CODE (NO PASS, NO PLAY) COMPLIANCE PROCEDURES FOR 4-H IN TEXAS

(These procedures cover all 4-H members in public, private, and home schools.)

COUNTY:

Each Year:

1. As a total county Extension faculty, meet and discuss the Texas Education Code requirements and specify procedures the county is going to use during the upcoming year (see Attachments C & D for recommended procedures). Also, plan for interpretation of the educational value of 4-H participation to teachers, school administration, and school boards.
2. A meeting should be scheduled with each school superintendent and/or principal that has 4-H members that will be involved in 4-H extracurricular activities during the year to discuss the procedures Extension plans to use. At this meeting, the following should occur:
 - ◆ Seek extracurricular status for 4-H (see sample letter – Attachment A1; and sample resolution – Attachment A2). [The approval of organizations (approval of extracurricular organizations) outside of school sponsored or UIL sponsored groups continues to be the responsibility of the local board of trustees. A resolution regarding Extracurricular Status of 4-H and an example letter for agents to use in contacting school superintendents requesting that 4-H be recognized as an extracurricular organization. See attached.]
 - ◆ Request Adjunct Faculty Appointment for CEA(s) (see sample Adjunct Faculty Appointment Request Agreement – Attachments A3, A4, and A5).
3. Extension faculty, volunteers, 4-H members, and their parents should be informed in writing of the procedures that will be followed during the upcoming school year to ensure 4-H members abide by the provisions of the Texas Education Code, thus ensuring 4-H retain its extracurricular status.
4. Thirty days prior to a 4-H competitive activity or a 4-H activity that requires a member to be absent from school, put the procedures into action.
5. To address any problems or violations during the school year:
 - ◆ Report them immediately to your District Extension Administrator.
 - ◆ Report them to the local school administrator for then to enforce their procedures covering violations of the Texas Education Code of members of approved non-UIL organizations. Many districts have incorporated these procedures into their discipline management systems.

DISTRICT:

- ◆ District Extension Administrators will immediately report any problems or violations to the Texas A&M AgriLife Extension Service administrator responsible for the Texas Education Code, Associate Director – County Programs.

STATE:

- ◆ The Associate Director – County Programs and the Assistant Agency Director and State Leader for 4-H Youth Development will facilitate resolution of the problem and communicate action to the Texas Education Agency Complaint Department.

EXAMPLE LETTER

Date & Return Address Header

Inside Address

Dear (Name of Superintendent):

On behalf of the 4-H members of _____ County, I/we hereby respectfully request that the 4-H organization, by the attached resolution, be sanctioned as an extracurricular activity. The enclosed RESOLUTION should be presented for consideration at the next scheduled meeting of the Board of Trustees of the (name of school district). I/we further request that questions regarding this RESOLUTION be directed to me/us in a timely manner so that I/we may prepare and present an appropriate response so as not to delay action on this request.

Finally, I/we request that a signed copy of this RESOLUTION, along with a copy of the minutes of the Board meeting, be forwarded to me/us for my/our files.

Thank you and members of the Board of Trustees for your consideration of this request.

Sincerely,

Name
Title

Enclosure: RESOLUTION
(Regarding EXTRACURRICULAR STATUS OF 4-H ORGANIZATION)

**RESOLUTION
regarding
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION**

Be it hereby resolved that upon this date, the duly elected Board of Trustees of the

(Complete name of school district)

meeting in public with a quorum present and certified, did adopt this resolution that recognizes the
_____ County Texas 4-H Organization as approved for recognition and eligible for
extracurricular status consideration under 19 Texas Administrative Code, Chapter 76.1, pertaining to extracurricular
activities.

Participation by 4-H members under provisions of this resolution are subject to all rules and regulations set forth
under the 19 Texas Administrative Code as interpreted by this Board and designated officials of this school district
whose rules shall be final.

Approved this ____ day of _____, 20__.

(For Board of Trustees)

(Superintendent)

STATE BOARD OF EDUCATION RULING ADJUNCT FACULTY APPOINTMENT

The State Board of Education passed a rule June 9, 1994 that allows public school students to be considered in attendance when participating in approved off-campus activities with an adjunct staff member of the school district. The amendment that was adopted states:

Amendments to 19 TAC§129.21 (k)(1). Requirements for Student Attendance Accounting for State Funding Purposes.

(4-12) A student not actually on campus at the time attendance is taken may be considered in attendance for Foundation School Program (FSP) purposes under the following conditions:

1. The student is participating in an activity which is approved by the local board and is under the direction of a professional staff member of the school district or an adjunct staff member. This adjunct staff member must have a minimum of a bachelor's degree and be eligible for participation in the Teacher Retirement System of Texas.

(4-13) Students participating in any activity which is not approved by the local school board and/or without certified district personnel supervision are counted absent [see (4-12)]. To qualify for funding purposes, the certified district staff member/adjunct staff member must be accompanying the students as an official of the school district for the specific purpose of supervising the students and must be approved by the school board to supervise the activity. For example, students participating in 4-H activities supervised solely by a county Extension agent are reported present.

The approved rule changes provide local school boards the opportunity to recognize county Extension agents as adjunct staff members and to count the students in attendance for the Foundation School Program purposes. Note: The approval for county Extension agents to be recognized as adjunct staff members and the activity in which the student is participating must be approved by the local board of school trustees.

As you develop plans for contacting local school districts, these guidelines should be followed:

1. A strategy for contacting all local school districts should be discussed in a joint office conference involving all staff members. Immediate action should be taken to initiate these contacts in order for this to be considered by the school board as early in the school year as possible.
2. As local school districts are contacted requesting for the county faculty to be recognized as adjunct staff members, each member of the county Extension staff should be named in the request. All county Extension agents have responsibility for the 4-H youth development program and there should not be single members of the staff requesting adjunct staff status.
3. Contact the appropriate school administrator i.e. school superintendent, assistant superintendent or designee to schedule an appointment to discuss extracurricular status of 4-H programs and adjunct faculty appointments. A personal meeting is recommended; however, in the urban counties, it may be necessary to contact the various school officials through correspondence and/or phone. The staff should request written confirmation of the local school board's approval in order to maintain appropriate documentation of adjunct status. Follow-up with the local school officials may be needed to obtain a written response.
4. All activities that require students to be absent from school must be approved by the local board of school trustees in order for them to be considered in attendance for Foundation School purposes. Approval for 4-H youth to participate in various activities, i.e. stock shows, judging contests, consumer decision making contests, National 4-H Congress, etc., must be granted prior to the date of the event. The county Extension staff should develop a comprehensive list of all activities that would require 4-H youth to be absent from school and submit this request for board approval at the same time.
5. County Extension agents are to receive no compensation from the local school system as a result of their adjunct staff status.

EXAMPLE LETTER/INFORMATION FOR LOCAL SCHOOL DISTRICTS

MEMORANDUM TO:

SUBJECT:

The State Board of Education passed an amendment to 19 TAC§129.21 (k)(1). Requirements for Student Attendance Accounting for State Funding Purposes allows public school students to be considered "in attendance" when participating in off-campus activities with an adjunct staff member of the school district. Section 3 of the Student Attendance Handbook states:

- (4-12) The student is participating in an activity which is approved by the local board and is under the direction of a professional staff member of the school district or an adjunct staff member. This adjunct staff member must have a minimum of a bachelor's degree and be eligible for participation in the Teacher Retirement System of Texas.
- (4-13) Student participating in any activity which is not approved by the local school board and/or without certified district personnel supervision are counted absent [see 4-12]. To qualify for funding purposes, the certified district staff member/adjunct staff member must be accompanying the students as an official of the school district for the specific purpose of supervising the students and must be approved by the school board to supervise the activity. For example, students participating in 4-H activities which are supervised solely by a county Extension agent are reported present.

This amendment provides local school boards the opportunity to recognize county Extension agents as adjunct staff members and to count students participating in 4-H/Extension educational activities "in attendance" for Foundation School Program purposes.

_____ County requests adjunct staff member status for the county Extension agents for the school year 2016-2017. The following faculty members are eligible for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree.

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

I hope _____ Independent School District will accept this request. Please let me know if you would like to schedule an appointment to discuss the amendment and request or if you need further information.

Sincerely,

County Extension Agent
County Coordinator

Attachments:
cc:

ADJUNCT FACULTY APPOINTMENT AGREEMENT

County Extension agents which are granted approval for adjunct faculty status remain under the direct supervision of the appropriate District Extension Administrator or County Extension Director. Adjunct faculty members will remain employees of Texas A&M AgriLife Extension Service and will receive no compensation, salary, or remuneration from the school district entering into this agreement.

As local school districts are contacted requesting the county faculty to be recognized as adjunct staff members, each member of the county Extension staff should be named in the request. All county Extension agents have responsibility for the 4-H youth development program and there should not be single members of the staff requesting adjunct faculty status.

Those counties that have already received approval as adjunct staff members do not need to have this agreement signed. This has been developed to provide those school districts that have requested or questioned the additional risk that may be assumed in recognizing agents as adjunct faculty. This agreement will provide consistency across the state in the event school districts request a formal agreement.

If any questions arise regarding this matter, please do not hesitate to call Dr. Chris Boleman, Assistant Agency Director and State Leader for Texas 4-H Youth Development or Dr. Jeff Ripley, Associate Agency Director for County Programs.

ADJUNCT FACULTY APPOINTMENT
SAMPLE COUNTY REQUEST FORM/PRESENTATION

_____ County requests adjunct staff member status for the county Extension agents for the school year 2016-2017. The following faculty are eligible for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree.

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

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EXAMPLE RESOLUTION
ADJUNCT FACULTY APPOINTMENT
FOR ISD'S WHO APPROVE MORE THAN 1 YEAR

COUNTY 4-H
CONTINUANCE OF EXISTING RESOLUTION
REGARDING
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION

(Insert ISD Name) ISD has continuously adopted resolutions recognizing the (Insert County Name) County 4-H Organization as approved for recognition and eligible for extracurricular status consideration under Title 19, Texas Administrative Code, Chapter 76.1, pertaining to extracurricular activities. As designee for the Board, I extend and make continuous the resolution last adopted on (Insert date). Participation by 4-H members under provisions of this resolution are subject to all rules and regulations set forth under the 19 Texas Administrative Code as interpreted by the board through the designated officials of (Insert ISD Name) ISD whose rulings shall be final.

This resolution shall be continuous unless and upon written notice by the Board or their designee that the resolution is withdrawn, or the law changes.

Adjunct faculty status is granted to all members of the current county Extension faculty, who meet the eligibility requirements for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree. The county Extension staff will annually provide a current list of adjunct faculty to the appropriate principal on or before request of completion of Declaration of Eligibility Forms. If the faculty changes, the list shall be edited by the county Extension staff and forwarded to the appropriate principal(s). This appointment is subject to the following conditions and provisions of such appointment, to wit:

1. Adjunct faculty member will receive no compensation, salary, or remuneration from (Insert ISD Name) ISD.
2. Adjunct faculty member is and shall remain an employee, in good standing, of the Texas A&M AgriLife Extension Service.
3. Adjunct faculty member shall be under the direction of the District Extension Administrator, Extension District, or (Insert County Name) County Extension Director.
4. Adjunct faculty member shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any and all other plans for the benefit of Texas A&M AgriLife Extension Service employees. District shall have no responsibility for any of such benefits or plans.

Adjunct faculty members shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty member for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of Texas A&M AgriLife Extension Service. Adjunct faculty member is not the employee of the School District, and School District does not nor shall not supervise, direct, or control the activities and/or participation of such (Insert County Name) County Extension Agent(s) who has/have been herein designated as an adjunct faculty member.

This appointment is made by (Insert Name) Independent School District by and through the action of the Board of Trustees of said District for the benefit of allowing voluntary student participation in programs conducted by Texas A&M AgriLife Extension Service in recognition of the educational benefits arising from such participation and activities and/or directed by Texas A&M AgriLife Extension Service. This appointment is made in accordance with the provisions of Section 12921 (k)(1) of the Texas Administrative Code authorizing the school to deem such participating students in attendance for Foundation School Program purposes.

This appointment of the (Insert County Name) County Extension Agent(s) (Extension employee) is/are not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by (Insert ISD Name) Independent School District or any of its employees agents, officers, and/or board members in the performance of governmental functions.

For the Board

(Insert Superintendents Name)
Superintendent of Schools
(Insert ISD Name) ISD
(Insert Date)

RECOMMENDED PROCEDURES FOR SECURING TEXAS EDUCATION CODE (NO PASS, NO PLAY) ELIGIBILITY INFORMATION FOR 4-H MEMBERS TO PARTICIPATE IN A COMPETITIVE 4-H EVENT

This procedure applies to all competitive events in which 4-H members participate during the school year regardless of when the events are conducted. This includes 4-H sponsored competitive events and events in which students compete representing 4-H.

For instance, 1) if a food show in which a 4-H member is a competitor is conducted on a Saturday, the 4-H member would have to be eligible according to the Texas Education Code to compete in the show; 2) if a member is a competitor in one of the major livestock shows representing 4-H on a school day, the 4-H member would have to be eligible to compete.

I. Procedures are as follows:

At the beginning of each school year, County Extension Agents (CEA's) should meet with school officials to determine the steps the agent needs to take to assist 4-H members in obtaining excused absences to participate in 4-H events, and to determine eligibility of 4-H members for competitive events.

Extension agents should submit a written request at least 30 days in advance of each 4-H event to the appropriate school administrator (principal) with the following information:

- a. Name of 4-H member(s) involved
- b. School they attend
- c. Current grade level in school
- d. Dates of proposed absence(s)
- e. Name of event
- f. Educational value
- g. Chaperone

II. Recommended Procedure

1. Thirty days prior to a 4-H competitive event, the CEA sends a letter to each superintendent or principal requesting information on the eligibility of members.
2. The school should respond to CEA, if there are any students who are eligible. If the school does not contact the CEA, it will be assumed that all students are eligible.
3. If a 4-H member is ineligible for a 4-H competitive event, the agent must notify the 4-H member, their parents and the sponsoring agency, by letter, of this situation. If the parent has any questions, they should be referred to the school administrator.

If county Extension faculty develop procedures they deem more efficient and effective and still ensures 4-H's compliance with the Texas Education Code requirements, they should request approval of the system in writing, before the system is initiated. If their District Extension Administrator approves the alternate procedures, they may use the alternate procedures and provide an evaluation of the procedures at the end of the year.

**RECOMMENDED PROCEDURES FOR SECURING
ELIGIBILITY INFORMATION AND EXCUSED ABSENCES
FOR 4-H MEMBERS TO PARTICIPATE IN ANY 4-H EVENT
OR ACTIVITY THAT WOULD REQUIRE THEM TO BE
ABSENT FROM SCHOOL**

This procedure applies to ALL 4-H events or activities (competitive or non-competitive) and all 4-H members in public, private, and/or home school that requires a 4-H member to be absent from school. For instance, if a 4-H member is a member of a state planning task force and needs to miss a day of school to participate, the 4-H member would have to be eligible according to the Texas Education Code to be excused from school.

I. Procedures are as follows:

At the beginning of each school year, County Extension Agents (CEA's) should meet with school officials to determine the steps the agent needs to take to assist 4-H members in obtaining excused absences to participate in 4-H events, and to determine eligibility of 4-H members for competitive events.

Extension agents should submit a **written request at least 30 days in advance** of each 4-H event to the appropriate school administrator (principal) with the following information:

- a. Name of 4-H member(s) involved
- b. School they attend
- c. Current grade level in school
- d. Dates of proposed absence(s)
- e. Name of event
- f. Educational value
- g. Chaperone

II. Recommended Procedure

1. Thirty days prior to a 4-H competitive event, the CEA sends a letter to each superintendent or principal requesting information on the eligibility of members.
2. The school should respond to CEA, if there are any students who are eligible. If the school does not contact the CEA, it will be assumed that all students are eligible.
3. If a 4-H member is ineligible for a 4-H competitive event, the agent must notify the 4-H member, their parents and the sponsoring agency, by letter, of this situation. If the parent has any questions, they should be referred to the school administrator.

If county Extension faculty develop procedures they deem more efficient and effective and still ensures 4-H's compliance with the Texas Education Code requirements, they should request approval of the system in writing, before the system is initiated. If their District Extension Administrator approves the alternate procedures, they may use the alternate procedures and provide an evaluation of the procedures at the end of the year.

DECLARATION OF ELIGIBILITY FORM GUIDELINES

The Declaration of Eligibility Form for the Texas A&M AgriLife Extension Service/4-H provides an alternate approach to the current system in ensuring 4-H's compliance with the Texas Education Code requirements. This procedure does not replace the current system of Extension agents submitting a written request in advance of each 4-H event to the appropriate school administrator to determine academic eligibility of 4-H youth. It adds another method of determining eligibility of 4-H members. The decision as to which system to implement should be made by the total county Extension faculty with each faculty member fully aware of the implications.

PROCEDURES

1. A visit should be scheduled with each school superintendent and/or principal that will have 4-H members involved in 4-H extracurricular activities during the year, to discuss the procedures Extension plans to use.
2. Extension faculty, volunteers, 4-H members, and their parents should be informed **in writing** of the procedures that will be followed during the upcoming school year, to ensure 4-H members abide by the provisions of the Texas Education Code, thus ensuring 4-H retains its extracurricular status.

The procedures that will be followed should be included in 4-H Adult Leader meetings, 4-H Club Manager meetings, 4-H Club meetings, as well as being in 4-H newsletters and other correspondence informing youth of 4-H policies and procedures.

3. The Declaration of Eligibility Form will require county Extension agent's signature prior to the principal and/or designee signing. The agent's signature certifies that the youth is enrolled in 4-H; prevents the form from being manipulated or falsified by ineligible youth; allows county Extension agents to maintain control of this request; and legitimizes the form for school officials.

INSTRUCTIONS FOR COMPLETING THE FORM

Parent/Guardian/County Extension Agent Section

- **Academic eligibility information only.** (Used to verify academic eligibility only for 4-H competitive events/activities.)
- **Academic eligibility information and authorization to receive an excused absence from school.** (Used to verify academic eligibility as well as receive authorization to receive an excused absence. This would be used for events held during school hours such as stock shows, state and national 4H contests and events, etc.)
- **Date and name of activity.** (Used to notify school officials of exact dates/times a student would be participating in a 4-H activity or representing 4-H at an event.)
- **Parent/Guardian signature is required.** The signature of the parent/guardian confirms that this person is aware of the academic eligibility and excused absence requirements of the Texas Education Code.
- **Certification of 4-H members is completed by the county Extension agent.**
- **County Extension agent signature/date certifies that the youth is enrolled in 4-H and is eligible to compete in the above-named activity.**

Principal/Designee Section

The principal or designee will be asked to verify a student's academic eligibility. In addition to academic eligibility verification, this person would verify authorization when there is a need for an excused absence for those 4-H events/activities that would require a student's absence. The signature and date must be completed in order for the form to be valid.

Instructions

4-H'ers should complete a separate form for each competitive event/activity in which they plan to participate. The original form should be returned to the county Extension office at least one week prior to the event/activity. **NOTE:** Schools requiring a copy of this form should make their copy before returning it to the student.



Texas A&M AgriLife Extension Service
DECLARATION OF ELIGIBILITY FORM

*This form is requested in accordance with the requirement of
the Texas Education Code and in cooperation with the Texas Education Agency
and local public school board policies.*



PARENT/GUARDIAN/COUNTY EXTENSION AGENT – Complete This Section

In accordance with 4-H policy, provided by our local Extension office, I respectfully request (check [✓] one):

- ☐ Academic eligibility information only
- ☐ Academic eligibility information and authorization to receive an excused absence from school

Date: _____ Name of Activity: _____

Signature of Parent/Guardian: _____

I hereby certify that _____ is a member of 4-H in
_____ County and is scheduled to participate in this activity representing 4-H.
He/she will be under the supervision of the Texas A&M AgriLife Extension Service faculty or agency's designated
volunteer leader.

Date

County Extension Agent

PRINCIPAL – Complete This Section

Check [✓] one:

- ☐ I do certify that the student is academically eligible to participate in the above mentioned
extracurricular activity.
- ☐ I do not certify the student because he/she is NOT academically eligible to participate in the
above mentioned extracurricular activity.

Check [✓] one:

- ☐ An excused absence will be granted.
- ☐ An excused absence will **not** be granted.
- ☐ Does not apply.

Signed: _____
Principal or Designee

Date: _____

Name of School

Instructions: Complete one form per activity. 4-H member should return original form to the County Extension Office.

DAEP PLACEMENT AND PARTICIPATION IN SCHOOL ACTIVITIES

Section 37.006 includes a list of types of conduct for which a district is required to place a student in a DAEP (Disciplinary Alternative Education Program). Subsection (g) of that section provides that “[t]he terms of a placement under this section must prohibit the student from attending or participating in a school-sponsored or school-related activity.” (Emphasis added). In addition to the required placements under Section 37.006, a district may include other bases for a DAEP placement in its student code of conduct under Section 37.0001(a)(1). Also, a principal may make a DAEP placement under Section 37.0029(c) in response to a classroom removal under that section.

The application of Section 37.006(g) is expressly limited to placements “under” that section. Section 37.006(g) does not apply to a placement made pursuant to Sections 37.001(a)(1) or 37.002(c) if the conduct is not included in Section 37.006. A district may adopt its own policy governing the terms of such a placement with respect to participation in school-sponsored or school-related activities. A district must be careful to apply Section 37.006(g) to any placement made for conduct that is included in Section 37.006 even if the conduct is separately identified in the district’s code of conduct or resulted in a removal under Section 37.002.

ADJUNCT FACULTY AGREEMENT
(SAMPLE)

1. We encourage a plan for cross-county CEA joint appointments to consolidate travel and supervisory responsibilities at major livestock shows.
2. Remember, when you have youth chosen for National 4-H Congress, National 4-H Conference, or Texas 4-H Leadership Conference, include one of the chaperones on your adjunct list.

THE STATE OF TEXAS

COUNTY OF _____

On this date, at a regularly scheduled and posted meeting, came the Board of Trustees of the _____ Independent School District, hereinafter referred to as "District." A quorum having been established, the Board proceeded to consider the appointment of the herein named individual as an adjunct member of the _____ Independent School District.

Upon consideration and vote of _____ in favor, _____ is hereby named as adjunct faculty member of the _____ Independent School District subject to the following considerations and provisions of such appointment to wit:

1. This appointment shall commence on the _____ day of _____ and end on the day _____ of _____, being the end of the 2016-2017 academic year.
2. Adjunct faculty member will receive no compensation, salary, or remuneration from _____ Independent School District.
3. Adjunct faculty member is and shall remain an employee, in good standing, of the Texas A&M AgriLife Extension Service.
4. Adjunct faculty member shall be under the direct supervision of either the District Extension Administrator of District _____ or _____ County Extension Director.
5. Adjunct faculty member shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any and all other plans for the benefit of Texas A&M AgriLife Extension Service employees. District shall have no responsibility for any of such benefits or plans.

Adjunct faculty member shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty members for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of Texas A&M AgriLife Extension Service pursuant to the supervisory authority of the District Extension Administrator or County Extension Director. Adjunct faculty member is not the employee of the School District, and School District does not nor shall not supervise, direct or control the activities and/or participation of such _____ County Extension Agent(s) who have/has been herein designated as an adjunct faculty member.

This appointment is made by the Independent School District by and through the Board of Trustees of said district for the benefit of allowing voluntary student participation in programs conducted by the Texas A&M AgriLife Extension Service in recognition of the educational benefits arising from such participation and activities and/or directed by the Texas A&M AgriLife Extension Service. This appointment is made in accordance with the provisions of Section 129.21 (k)(1) of the Texas Administrative Code authorizing the school to deem such participating students in attendance for foundation school program purposes.

This appointment of the herein named _____ County Extension Agent(s) (Extension employee) is/are not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by _____ Independent School District or any of its employees, agents, officers, and/or board members in the performance of governmental functions.

Signed this _____ day of _____, 2016.

_____ Independent School District

By: _____

Adjunct Faculty Appointment Accepted By:

County Extension Agent(s)

Approved:

County/District Extension Administrator, District _____
Texas A&M AgriLife Extension Service

EXAMPLE LETTER

Date & Return Address Header

Inside Address

Dear (Name of Superintendent):

On behalf of the 4-H members of _____ County, I/we hereby respectfully request that the 4-H organization, by the attached resolution, be sanctioned as an extracurricular activity. The enclosed RESOLUTION should be presented for consideration at the next scheduled meeting of the Board of Trustees of the (name of school district). I/we further request that questions regarding this RESOLUTION be directed to me/us in a timely manner so that I/we may prepare and present an appropriate response so as not to delay action on this request.

Finally, I/we request that a signed copy of this RESOLUTION, along with a copy of the minutes of the Board meeting, be forwarded to me/us for my/our files.

Thank you and members of the Board of Trustees for your consideration of this request.

Sincerely,

Name
Title

Enclosure: RESOLUTION
(Regarding EXTRACURRICULAR STATUS OF 4-H ORGANIZATION)

**RESOLUTION
regarding
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION**

Be it hereby resolved that upon this date, the duly elected Board of Trustees of the

(Complete name of school district)

meeting in public with a quorum present and certified, did adopt this resolution that recognizes the
_____ County Texas 4-H Organization as approved for recognition and eligible for
extracurricular status consideration under 19 Texas Administrative Code, Chapter 76.1, pertaining to extracurricular
activities.

Participation by 4-H members under provisions of this resolution are subject to all rules and regulations set forth
under the 19 Texas Administrative Code as interpreted by this Board and designated officials of this school district
whose rules shall be final.

Approved this _____ day of _____, 20____.

(For Board of Trustees)

(Superintendent)

EXAMPLE LETTER/INFORMATION FOR LOCAL SCHOOL DISTRICTS

MEMORANDUM TO:

SUBJECT:

The State Board of Education passed an amendment to 19 TAC§129.21 (k)(1). Requirements for Student Attendance Accounting for State Funding Purposes allows public school students to be considered "in attendance" when participating in off-campus activities with an adjunct staff member of the school district. Section 3 of the Student Attendance Handbook states:

- (4-12) The student is participating in an activity which is approved by the local board and is under the direction of a professional staff member of the school district or an adjunct staff member. This adjunct staff member must have a minimum of a bachelor's degree and be eligible for participation in the Teacher Retirement System of Texas.
- (4-13) Student participating in any activity which is not approved by the local school board and/or without certified district personnel supervision are counted absent [see 4-12]. To qualify for funding purposes, the certified district staff member/adjunct staff member must be accompanying the students as an official of the school district for the specific purpose of supervising the students and must be approved by the school board to supervise the activity. For example, students participating in 4-H activities which are supervised solely by a county Extension agent are reported present.

This amendment provides local school boards the opportunity to recognize county Extension agents as adjunct staff members and to count students participating in 4-H/Extension educational activities "in attendance" for Foundation School Program purposes.

_____ County requests adjunct staff member status for the county Extension agents for the school year 2016-2017. The following faculty members are eligible for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree.

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

I hope _____ Independent School District will accept this request. Please let me know if you would like to schedule an appointment to discuss the amendment and request or if you need further information.

Sincerely,

County Extension Agent
County Coordinator

Attachments:

cc:

ADJUNCT FACULTY APPOINTMENT
SAMPLE COUNTY REQUEST FORM/PRESENTATION

_____ County requests adjunct staff member status for the county Extension agents for the school year 2016-2017. The following faculty are eligible for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree.

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

Name: _____ Title: _____ Degree: _____ Date: _____ Institution: _____

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EXAMPLE RESOLUTION
ADJUNCT FACULTY APPOINTMENT
FOR ISD'S WHO APPROVE MORE THAN 1 YEAR

COUNTY 4-H
CONTINUANCE OF EXISTING RESOLUTION
REGARDING
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION

(Insert ISD Name) ISD has continuously adopted resolutions recognizing the (Insert County Name) County 4-H Organization as approved for recognition and eligible for extracurricular status consideration under Title 19, Texas Administrative Code, Chapter 76.1, pertaining to extracurricular activities. As designee for the Board, I extend and make continuous the resolution last adopted on (Insert date). Participation by 4-H members under provisions of this resolution are subject to all rules and regulations set forth under the 19 Texas Administrative Code as interpreted by the board through the designated officials of (Insert ISD Name) ISD whose rulings shall be final.

This resolution shall be continuous unless and upon written notice by the Board or their designee that the resolution is withdrawn, or the law changes.

Adjunct faculty status is granted to all members of the current county Extension faculty, who meet the eligibility requirements for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree. The county Extension staff will annually provide a current list of adjunct faculty to the appropriate principal on or before request of completion of Declaration of Eligibility Forms. If the faculty changes, the list shall be edited by the county Extension staff and forwarded to the appropriate principal(s). This appointment is subject to the following conditions and provisions of such appointment, to wit:

1. Adjunct faculty member will receive no compensation, salary, or remuneration from (Insert ISD Name) ISD.
2. Adjunct faculty member is and shall remain an employee, in good standing, of the Texas A&M AgriLife Extension Service.
3. Adjunct faculty member shall be under the direction of the District Extension Administrator, Extension District, or (Insert County Name) County Extension Director.
4. Adjunct faculty member shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any and all other plans for the benefit of Texas A&M AgriLife Extension Service employees. District shall have no responsibility for any of such benefits or plans.

Adjunct faculty members shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty member for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of Texas A&M AgriLife Extension Service. Adjunct faculty member is not the employee of the School District, and School District does not nor shall not supervise, direct, or control the activities and/or participation of such (Insert County Name) County Extension Agent(s) who has/have been herein designated as an adjunct faculty member.

This appointment is made by (Insert Name) Independent School District by and through the action of the Board of Trustees of said District for the benefit of allowing voluntary student participation in programs conducted by Texas A&M AgriLife Extension Service in recognition of the educational benefits arising from such participation and activities and/or directed by Texas A&M AgriLife Extension Service. This appointment is made in accordance with the provisions of Section 12921 (k)(1) of the Texas Administrative Code authorizing the school to deem such participating students in attendance for Foundation School Program purposes.

This appointment of the (Insert County Name) County Extension Agent(s) (Extension employee) is/are not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by (Insert ISD Name) Independent School District or any of its employees agents, officers, and/or board members in the performance of governmental functions.

For the Board

(Insert Superintendents Name)
Superintendent of Schools
(Insert ISD Name) ISD
(Insert Date)