

IOWA STATE DEPARTMENT  
OF PUBLIC INSTRUCTION

(Cite as 1 D.P.I. App. Dec. 121)

In re Charlene Bagbey :

Charlene Bagbey  
Appellant :

v. :

Iowa High School Speech Association  
Appellee :

DECISION

[Admin. Doc. 380]

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The above entitled matter came for hearing on November 9, 1976, at approximately 3:30 p.m. in the State Board of Public Instruction Conference Room. The appeal was heard before a hearing panel consisting of Dr. Robert Benton, state superintendent and presiding officer; David Bechtel, administrative assistant; and A. John Martin, director, curriculum division. Charlene Bagbey was represented by her parents, Charles S. and Demetra Anne Bagbey, and Dr. E. Wayne Cooley, executive secretary, Iowa High School Speech Association represented the Association. The hearing was held pursuant to Departmental Rules, Chapter 670--51, Iowa Administrative Code.

Charlene Bagbey was declared ineligible for participation in interscholastic speech and debate activities participated in by a high school in which she was not regularly enrolled as a student. This ruling was rendered by the Executive Committee of the Iowa High School Speech Association (hereinafter Association) under the eligibility rules of the State Board of Public Instruction found in Departmental Rule 670--9.14. The ruling was appealed by Charlene, through her parents, Charles S. and Demetra Anne Bagbey pursuant to Departmental Rule 670--9.17.

I.  
Findings of Fact

The Hearing Panel finds that it and the State Board of Public Instruction have jurisdiction over the parties and the subject matter. The parties waived entitlement under Department rule to give five days written notice of the hearing.

The facts in this matter are not contested. The Bagbeys are residents of the Urbandale Community School District where Charlene is enrolled as a high school student. Charlene is interested in numerous extracurricular activities. She previously attended school in another school district where she was deeply involved in various extracurricular activities, especially speech. She participated in dramatics, created and directed a "mime" group which received a one rating in state competition and worked with original oratory.

While Charlene continues to pursue her interest in athletics at Urbandale High School, she has been unable to compete in an extracurricular speech and debate program. Apparently due to lack of student interest, the Urbandale School District discontinued its speech and debate activities several years ago. Charlene contends that participation in competitive speech and debate will further her goal of becoming a teacher of speech and drama at the high school level.

Charlene investigated the possibility of her competing for another school which had a speech and debate program. Contact was made with staff and the administration of Hoover High School, an attendance center of the Des Moines Independent Community School District. The school officials at Hoover were agreeable to allowing Charlene to enroll in one regular speech class and also to participate in their extracurricular speech and debate program. This agreement was conditioned on approval of the school officials at Urbandale and the Iowa High School Speech Association. In follow-up with the school officials at Urbandale permission for this type of arrangement was granted provided it met the approval of the Iowa High School Speech Association.

On October 15, 1976, the Association's Executive Committee met with Mrs. Bagbey to consider the situation. After deliberation, the Association ruled that Charlene would not be able to compete for a high school in which she was not regularly enrolled. It was that ruling which is the subject of this appeal.

## II.

### Conclusions of Law

At the center of this controversy is Departmental Rule 670--9.14. The relevant terms of that rule are as follows:

9.14(1) All contestants must be enrolled and in good standing in a school that is a member in good standing of the organization sponsoring the event.

9.14(3) All contestants shall be regular students of the school in good standing; they shall have earned fifteen semester hours credit toward graduation in the preceding semester of the school, and shall be making passing grades in subjects for which fifteen semester hours credit is given for the current semester as determined by the local school administrator. [Emphasis added]

This rule has evolved from many years experience of the various extracurricular activity associations operating in this state in their attempts to deal equitably with problems of student eligibility. One of its basic intents has been to remove the potential for recruitment in all such activity programs.

In approaching this problem several points or positions of philosophy have been developed over the years. First, it has been consistently recognized that any such activities are "extra" to the curricular intent and thrust of the school. Thus, the requirement that a student be enrolled in a certain minimum amount of course work and be making passing grades in this work. Second, that students who participate in extra curricular activities do so as representatives of the schools of their residence, not as individuals.

To allow an exception in this instance would be a major departure from the standards for determining student eligibility for extracurricular activities that have been developed through the years. Such an exception would basically void the rule as it currently exists.

III.  
Decision

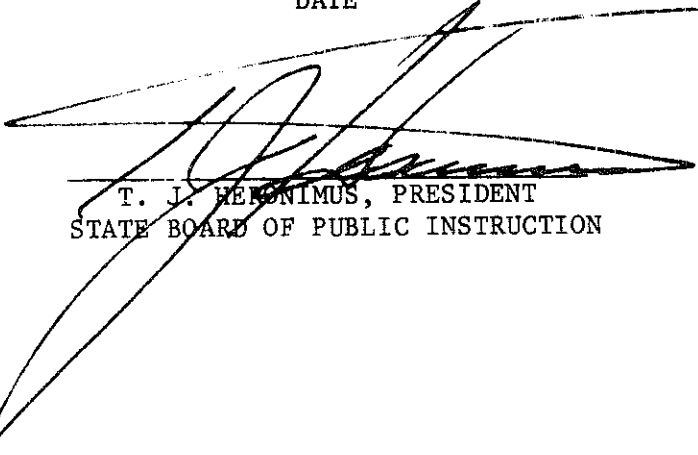
For the aforementioned reasons, the decision of the Executive Committee of the Iowa High School Speech Association in this matter is hereby affirmed.

November 19, 1976

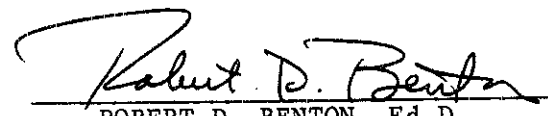
DATE

November 19, 1976

DATE



T. J. HERONIMUS, PRESIDENT  
STATE BOARD OF PUBLIC INSTRUCTION



ROBERT D. BENTON, Ed.D.  
STATE SUPERINTENDENT AND  
PRESIDING OFFICER