

# MODESTO CITY SCHOOLS

## Board Policy

BP 6145.2

### ATHLETIC COMPETITION

#### Instruction

The Governing Board recognizes that the district's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program also promotes the physical, social, and emotional well-being and character development of participating students. The district's athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

*(cf. 3541.1 - Transportation for School-Related Trips)*

*(cf. 5030 - Student Wellness)*

*(cf. 5137 - Positive School Climate)*

*(cf. 6142.7 - Physical Education and Activity) (N/A)*

*(cf. 7110 - Facilities Master Plan) (N/A)*

All athletic teams shall be supervised by qualified coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, sports skills, and sportsmanship. Athletic events shall be officiated by qualified personnel.

*(cf. 4127/4227/4327 - Temporary Athletic Team Coaches) (N/A)*

The Board encourages business and community support for district athletic programs, subject to applicable district policies and regulations governing advertisements and donations.

*(cf. 1260 - Educational Foundation) (N/A)*

*(cf. 1321 - Solicitation of Funds from and by Students)*

*(cf. 1325 - Advertising and Promotion)*

*(cf. 1700 - Relations Between Private Industry and the Schools) (N/A)*

*(cf. 3290 - Gifts, Grants and Bequests)*

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#### **Nondiscrimination and Equivalent Opportunities in the Athletic Program**

The district's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law, including, but not limited to, the use of any racially derogatory or discriminatory school or athletic team name, mascot, or nickname. The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females, and that students are permitted to participate in athletic activities consistent with their gender identity.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

Any complaint alleging discrimination in the district's athletic program shall be filed in accordance with the district's uniform complaint procedures.

*(cf. 1312.3 - Uniform Complaint Procedures)*

#### **California Interscholastic Federation**

Any district school that participates in the California Interscholastic Federation (CIF) shall conduct its athletic activities in accordance with CIF bylaws and rules and any applicable district policy and regulation. The Superintendent or designee shall have responsibility for the district's interscholastic athletic program, while the principal or designee at each participating school shall be responsible for site-level decisions, as appropriate.

The Board shall annually designate a representative to the local CIF league from each school that participates in CIF sports. The Superintendent or designee shall recommend a candidate for the position who demonstrates an understanding of the district's goals for student learning and interscholastic activities, knowledge of the athletic programs, awareness of the implications of league decisions for the school and the district, and interpersonal communication and leadership skills.



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The designated representative(s) shall vote on issues that impact interscholastic athletics at the league and section levels, perform any other duties required by the CIF league, and report regularly to the Board on league, section, and statewide issues related to athletic programs.

*(cf. 0500 - Accountability) (N/A)*

### Student Eligibility

Eligibility requirements for student participation in the district's interscholastic athletic program, including requirements pertaining to academic achievement, shall be the same as those set by the district for participation in extracurricular and cocurricular activities.

*(cf. 3530 - Risk Management/Insurance) (N/A)*

*(cf. 5111.1 - District Residency)*

*(cf. 5121 - Grades/Evaluation of Student Achievement) (N/A)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6146.1 - High School Graduation Requirements)*

*(cf. 6173 - Education for Homeless Children) (N/A)*

*(cf. 6173.1 - Education for Foster Youth) (N/A)*

*(cf. 6173.2 - Education of Children of Military Families) (N/A)*

In addition, the Superintendent or designee shall ensure that students participating in interscholastic athletics governed by CIF satisfy CIF eligibility requirements.

Students shall not be charged a fee to participate in an athletic program, including, but not limited to, a fee to cover the cost of uniforms, locks, lockers, or athletic equipment.

*(cf. 3260 - Fees and Charges)*

*(cf. 5143 - Insurance)*

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#### Sportsmanship

The Board values the quality and integrity of the athletic program and the character development of student athletes. Student athletes, coaches, parents/guardians, spectators, and others are expected to demonstrate good sportsmanship, ethical conduct, and fair play during all athletic competitions. They shall also abide by the core principles of trustworthiness, respect, responsibility, fairness, caring, and good citizenship and the Code of Ethics adopted by CIF.

Students and staff shall be subject to disciplinary action for improper conduct.

*(cf. 3515.2 - Disruptions) (N/A)*

*(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (N/A)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action) (N/A)*

*(cf. 5131 - Conduct)*

*(cf. 5131.1 - Bus Conduct)*

*(cf. 5131.4 - Student Disturbances) (N/A)*

*(cf. 5144 - Discipline) (N/A)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process) (N/A)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities)) (N/A)*

#### Health and Safety

The Board desires to give student health and safety the highest consideration in planning and conducting athletic activities.

Students shall have a medical clearance before participating in interscholastic athletic programs. Care shall be taken to ensure that all athletic trainings and competitions are conducted in a manner that will not overtax the physical capabilities of the participants. When appropriate, protective equipment shall be used to prevent or minimize injuries.



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Coaches and appropriate district employees shall take every possible precaution to ensure that athletic equipment is kept in safe and serviceable condition. The Superintendent or designee shall ensure that all athletic equipment is cleaned and inspected for safety before the beginning of each school year.

*(cf. 5131.61 - Drug Testing) (N/A)*

*(cf. 5131.63 - Steroids) (N/A)*

*(cf. 5141.3 - Health Examinations) (N/A)*

*(cf. 5141.6 - School Health Services) (N/A)*

*(cf. 5141.7 - Sun Safety) (N/A)*

*(cf. 5142 - Safety) (N/A)*

The Superintendent or designee shall develop a written emergency action plan that describes the location of automated external defibrillator(s) and procedures to be followed in the event of sudden cardiac arrest or other medical emergency related to the athletic program's activities or events. The plan shall be posted in accordance with guidelines of the National Federation of State High School Associations. (Education Code 35179.4)

In the event of a serious injury or a perceived imminent risk to a student's health during or immediately after an athletic activity, the coach or any other district employee who is present shall remove the student athlete from the activity, observe universal precautions in handling blood or other bodily fluid, and/or seek medical treatment for the student as appropriate.

*(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens) (N/A)*

*(cf. 4119.43/4219.43/4319.43 - Universal Precautions) (N/A)*

*(cf. 5141 - Health Care and Emergencies) (N/A)*

*(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)*

*(cf. 5141.22 - Infectious Diseases) (N/A)*

→ ~~Whenever a serious injury or illness is suffered by a student athlete, the Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury or illness suffered by the student and any actions taken to treat the student.~~

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#### *Legal Reference:*

#### EDUCATION CODE

*200-262.4 Prohibition of discrimination*

*17578 Cleaning and sterilizing of football equipment*

*17580-17581 Football equipment*

*32220-32224 Insurance for athletic teams, especially:*

*32221.5 Required insurance for athletic activities*

*33353-33353.5 California Interscholastic Federation; implementation of policies, insurance program*

*33354 California Department of Education authority over interscholastic athletics*

*33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act*

*35160.5 District policies; rules and regulations*

*35179 Interscholastic athletics*

*35179.1 California High School Coaching Education and Training Program*

*35179.4 Emergency action plan*

*35179.5 Interscholastic athletics; limitation on full-contact practices*

*35179.6 Automated external defibrillator, athletic activities*

*48850 Interscholastic athletics; students in foster care and homeless students*

*48900 Grounds for suspension and expulsion*

*48930-48938 Student organizations*

*49010-49013 Student fees*

*49020-49023 Athletic programs; legislative intent, equal opportunity*

*49030-49034 Performance-enhancing substances*

*49458 Health examinations, interscholastic athletic program*

*49475 Health and safety, concussions and head injuries*

*49700-49701 Education of children of military families*

*51242 Exemption from physical education for high school students in interscholastic athletic program*

#### HEALTH AND SAFETY CODE

*1797.196 Automated external defibrillator*

#### PENAL CODE

*245.6 Hazing*

#### CODE OF REGULATIONS, TITLE 5

*4900-4965 Nondiscrimination in elementary and secondary education programs, especially:*

*4920-4922 Nondiscrimination in intramural, interscholastic, and club activities*

*5531 Supervision of extracurricular activities of students*

*5590-5596 Employment of noncertificated coaches*

#### UNITED STATES CODE, TITLE 20

*1681-1688 Discrimination based on sex or blindness, Title IX*

#### CODE OF FEDERAL REGULATIONS, TITLE 34

*106.31 Nondiscrimination on the basis of sex in education programs or activities*



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*Legal Reference (cont.):*

EDUCATION CODE (cont.)

*106.33 Comparable facilities*

*106.41 Nondiscrimination in athletic programs*

### COURT DECISIONS

*Mansourian v. Regents of University of California, (2010) 602 F. 3d 957*

*McCormick v. School District of Mamaroneck, (2004) 370 F.3d 275*

*Kahn v. East Side Union High School District, (2003) 31 Cal. 4th 990*

*Hartzell v. Connell, (1984) 35 Cal. 3d 899*

*Management Resources:*

### CSBA PUBLICATIONS

*Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students  
Against Discrimination, March 2017*

### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013*

### CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

*Athletic Department Emergency Action Plan: Response Teams*

*California Interscholastic Federation Constitution and Bylaws*

*A Guide to Equity in Athletics*

*Guidelines for Gender Identity Participation*

*Keep Their Heart in the Game: A Sudden Cardiac Arrest Information Sheet for Athletes  
and Parents/Guardians*

*Event Emergency Guidelines, 2013*

*Pursuing Victory with Honor, 1999*

### CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

*Heads Up: Concussion in High School Sports, Tool Kit, June 2010*

*Heads Up: Concussion in Youth Sports, Tool Kit, July 2007*

*Acute Concussion Evaluation (ACE) Care Plan, 2006*

### NATIONAL FEDERATION OF STATE HIGH SCHOOL ASSOCIATIONS PUBLICATIONS

*Emergency Action Planning Guide for After-School Practices and Events*

### U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS

*Withdrawal of Dear Colleague Letter on Transgender Students, Dear Colleague Letter,  
February 22, 2017*

*Intercollegiate Athletics Policy Clarification: The Three-Part Test - Part Three, Dear  
Colleague Letter, April 20, 2010*

### WEB SITES

*CSBA: <http://www.csba.org>*

*California Department of Education: <http://www.cde.ca.gov>*

*California Interscholastic Federation: <http://www.cifstate.org>*

*Centers for Disease Control and Prevention, Concussion Resources: <http://www.cdc.gov/concussion>*

*National Federation of State High School Associations: <http://www.nfhs.org>*

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*Management Resources (cont.):*

*WEB SITES (cont.)*

*National Operating Committee on Standards for Athletic Equipment: <http://www.nocsae.org>*

*U.S. Anti-Doping Agency: <http://www.usada.org>*

*U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>*

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ADOPTED: