

**REGULATION 6145.2: Athletic Competition**  
**Comparison Chart**  
Section: Instruction

SUMMARY OF UPDATE

***Summary of Update:** Regulation includes new section on "Heat Illness" reflecting NEW LAW (AB 2800) which requires coaching education programs to include training on the signs and symptoms of, and appropriate response to, heat illness. Also regulation updated to reflect NEW LAW (SB 1109, 2018) which requires districts to annually provide student athletes and their parents/guardians an opioid fact sheet produced by the Centers for Disease Control and Prevention.*

PARA	Section	Sub-Section	January 12, 2010 CURRENT VERSION	July 2019 REVISED VERSION	CSBA MODIFICATIONS and/or NOTES
			<b><u>Nondiscrimination and Equivalent Opportunities in the Athletic Program</u></b>	<b>No change</b>	
1			No person shall on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color or mental or physical disability be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise be discriminated against in interscholastic, intramural or club athletics.	No student shall be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise be discriminated against in interscholastic, intramural, or club athletics on the basis of any actual or perceived characteristic specified in law and BP 0410 - Nondiscrimination in District Programs and Activities.	CSBA NOTE: This section reflects pertinent provisions of state and federal law regarding nondiscrimination (Education Code 200-262.4; 5 CCR 4900-4965; Title IX, 20 USC 1681-1688). The Office for Civil Rights (OCR) in the U.S. Department of Education oversees complaints regarding violations of Title IX.
2			The Superintendent or designee may provide single-sex teams where selection for teams is based on competitive skills.	<b>No change</b>	CSBA NOTE: 5 CCR 4921 and 34 CFR 106.41 authorize the establishment of separate teams for males and females where the selection of teams is based on competitive skills. 34 CFR 106.41 also authorizes single-sex teams for contact sports, as defined. Because state regulations do not address single-sex teams for contact sports, districts should consult legal counsel prior to establishing any such single-sex team for a contact sport for which selection is not based on competitive skills.

			Each student shall be allowed to participate in any single-sex athletic program or activity consistent with the student's gender identity, irrespective of the gender listed on the student's records, for which the student is otherwise eligible to participate.	<b>New paragraph added</b> CSBA NOTE: Pursuant to Education Code 221.5, a district is required to permit a transgender student to participate in sex-segregated school programs and activities, including athletic teams and competitions, consistent with the student's gender identity, regardless of the gender listed in the student's records; see BP/AR 5145.3 - Nondiscrimination/Harassment. The California Interscholastic Federation's (CIF) bylaws and Guidelines for Gender Identity Participation contain procedures for addressing student complaints regarding gender identity-based participation in interscholastic sports. Also see CSBA's Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Discrimination.
3		When a school provides only one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have been previously limited, members of the excluded sex shall be allowed to try out for and compete with the team. The same standards for eligibility shall be applied to every student trying out for a team, regardless of sex, sexual orientation, or other protected group status.	When a school provides only one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have been previously limited, members of the excluded sex shall be allowed to try out and compete with the team. The same standards for eligibility shall be applied to every student trying out for the team, regardless of sex, sexual orientation, gender, gender identity, gender expression, or other protected group status.	
4		When determining whether equivalent opportunities are available to both sexes in athletic programs, the Superintendent or designee shall consider, among other factors:	The Superintendent or designee shall ensure that equivalent opportunities are available to both sexes in athletic programs by considering, among other factors:	CSBA NOTE: 5 CCR 4922 and 34 CFR 106.41, as reflected in items #1-11 below, list factors that districts must consider when determining whether equivalent opportunities are being provided. CIF's A Guide to Equity in Athletics suggests actions that districts can take for

					each of the factors to help the district meet its equivalence goals. Any district with questions about equivalent athletic opportunities for its students should consult legal counsel.
	1		Whether the selection of sports and levels of competition effectively accommodate the interests and abilities of both sexes	Whether the offered selection of sports and levels of competition effectively accommodate the interests and abilities of both sexes	
	1		To help ensure that the district's athletic program effectively accommodates the interests and abilities of both sexes in athletics, the district shall use the following criteria:	The athletic program may be found to effectively accommodate the interests and abilities of both sexes using any one of the following tests:	CSBA NOTE: Education Code 230 provides the following three-part test to determine if a district has effectively accommodated the interests and abilities of both sexes in athletics. This test is the same three-part test that is used by OCR for helping to determine equivalent opportunities under Title IX.
		a	Whether the interscholastic level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments	No change	CSBA NOTE: CIF's A Guide to Equity in Athletics advises that, in order to meet the criterion specified in item #1a below, the ratio of male/female athletes should be within five percent of the ratio of male/female district enrollment.
		b	When the members of one sex have been and are underrepresented among interscholastic athletes, whether the district can show a history and continuing practice of program expansion that is demonstrably responsive to the developing interests and abilities of the members of that sex	Where the members of one sex have been and are underrepresented among interscholastic athletes, whether the district can show a history and a continuing practice of program expansion that is demonstrably responsive to the developing interests and abilities of the members of that sex	
		c	When the members of one sex are underrepresented among interscholastic athletes and the district cannot show a history and continuing practice of program expansion as required in item #b above, whether the district can demonstrate that the interest and abilities of the members of that sex have been	Where the members of one sex are underrepresented among interscholastic athletes and the district cannot show a history and continuing practice of program expansion as required in item #1b above, whether the district can demonstrate that the interests and abilities of the members of that sex have	CSBA NOTE: In evaluating whether there is an unmet interest in a particular sport and sufficient ability to sustain a team in the sport (item #1c below), OCR considers (1) whether an institution uses nondiscriminatory methods of assessment when determining the athletic interests and abilities of its students, (2) whether a viable team for the

		fully and effectively accommodated by the present program	been fully and effectively accommodated by the present program	underrepresented sex was recently eliminated, (3) multiple indicators of interest, (4) multiple indicators of ability, and (5) frequency of conducting assessments. A student survey is one indicator that may be used. A letter issued by OCR in April 2010 provides information that the district might consider in developing its own survey. In addition, CIF's A Guide to Equity in Athletics provides sample surveys.
	2	The provision and maintenance of equipment and supplies	No change	
	3	Scheduling of games and practice times, selection of the season for a sport, and location of the games and practices	No change	
	4	Travel and per diem allowances	No change	
	5	Opportunities to receive coaching and academic tutoring	No change	
	6	Assignment and compensation of coaches and tutors	No change	
	7	Provision of locker rooms and practice and competitive facilities	Provision of locker rooms, practice facilities, and competitive facilities	
	8	Provision of medical and training facilities and services	No change	
	9	Provision of housing and dining facilities and services		
	10	Publicity	No change	
	11	Provision of necessary funds	No change	CSBA NOTE: 5 CCR 4922 clarifies that unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams shall not by itself constitute a failure to provide equivalent opportunities. However, the provision of necessary funding

					for teams of both sexes is a factor in the determination, as specified below.
				Each school that offers competitive athletics shall, at the end of the school year, post on its school web site, or on the district web site if the school does not have a web site, the following information:	<b>New paragraph added</b>
				1. The total enrollment of the school, classified by gender	<b>New sections #1-3 added</b>
				2. The number of students enrolled at the school who participate in competitive athletics, classified by gender	
				3. The number of boys' and girls' teams, classified by sport and by competition level	
				The data reported for items #1-3 above shall reflect the total number of players on a team roster on the official first day of competition. The materials used to compile this information shall be retained by the school for at least three years after the information is posted on the web site.	<b>New paragraph added</b>
				<b><u>Concussions and Head Injuries</u></b>	<b>New category and paragraphs added</b>
				The Superintendent or designee shall annually distribute to student athletes and their parents/guardians an information sheet on concussions and head injuries. The student and parent/guardian shall sign and return the information sheet before the student initiates practice or competition.	CSBA NOTE: Education Code 49475 requires districts to distribute information on concussions and head injuries to student athletes and their parents/guardians. The district may use fact sheets developed by the Centers for Disease Control and Prevention (CDC), available on CIF's web site, or other resources to develop the information sheet.  The requirements of Education Code 49475 apply to any district that offers an athletic program at any grade level and for any sport. These requirements do not apply to students

					engaging in an athletic activity during the regular school day or as part of a physical education course.
				The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding concussion symptoms, prevention, and appropriate response.	CSBA NOTE: Education Code 49032 requires that each high school coach complete an education program that includes, but is not limited to, a basic understanding of the signs and symptoms of concussions and appropriate response to them. Free online courses are available through CIF's web site. Also see AR 4127/4227/4327 - Temporary Athletic Team Coaches.
				If a student athlete is suspected of sustaining a concussion or head injury in an athletic activity, the student shall be immediately removed from the activity for the remainder of the day. The student shall not be permitted to return to the activity until the student is evaluated by a licensed health care provider trained in the management of concussions and receives the health care provider's written clearance to return to the activity. If the health care provider determines that the student sustained a concussion or a head injury, the student shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed health care provider.	CSBA NOTE: Education Code 49475 requires that a student at any grade level engaged in an athletic program apart from the regular school day or physical education course who is suspected of sustaining a concussion be immediately removed from the athletic activity and not be allowed to return until a health care provider provides written clearance. CDC's web site includes an Acute Concussion Evaluation form which may be used to provide injured students and their parents/guardians with information about monitoring symptoms and the health care provider's recommendations regarding returning to daily activities, school, and sports. See CIF's web site for additional information regarding concussions.
				A middle school or high school football team shall not hold a full-contact practice during the off-season and shall not conduct more than two full-contact practices per week during the preseason and regular season (from 30 days before the commencement of the regular season until the completion of the final interscholastic football game of that	CSBA NOTE: This paragraph is for use by districts that offer a football program and may be revised to reflect the grade levels offered by the district.

			season). In addition, the full-contact portion of a practice shall not exceed 90 minutes in any single day. For these purposes, full-contact practice means a practice where drills or live action is conducted that involves collisions at game speed, where players execute tackles and other activity that is typical of an actual tackle football game.	
			<b><u>Heat Illness</u></b>	<b>New category and paragraphs added</b>
			The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding the signs and symptoms of, and the appropriate response to, heat illness, including heat cramps, heat syncope, heat exhaustion, and exertional heat stroke.	CSBA NOTE: Pursuant to Education Code 35179.1, the district or CIF-developed coaching education program required by Education Code 49032 must include training on the signs and symptoms of, and the appropriate response to, heat illness. The National Federation of State High Schools offers a free online course, available on CIF's web site, that fulfills these requirements.
			To assist in the prevention of heat illness, coaches and/or athletic trainers shall gradually increase the intensity and duration of exercise to acclimate student athletes to practice in the heat, provide adequate rest breaks, make water available during all athletic activities, and alter practice plans in extreme environmental conditions.	CSBA NOTE: This <b>optional</b> paragraph reflects recommendations in CSBA's and CIF's joint publication Preventing Catastrophic Heat Illness, and may be expanded to include additional district strategies.
			<b><u>Sudden Cardiac Arrest</u></b>	<b>New category and paragraphs added</b>
			The Superintendent or designee shall distribute the California Interscholastic Federation (CIF) information sheet on sudden cardiac arrest to all student athletes who will be participating in a CIF-governed athletic activity and to their parents/guardians. The student and parent/guardian shall sign and return the information sheet prior to the student's participation in the athletic activity.	CSBA NOTE: Education Code 33479.3 requires that student athletes and their parents/guardians receive information on the nature and warning signs of sudden cardiac arrest, as provided below. This information is available from CIF or, if the athletic activity is not governed by CIF, on the California Department of Education's (CDE) web site. In addition, Education Code 33479.2 encourages

			<p>If an athletic activity is not covered by CIF, the student and parent/guardian shall, prior to the student's participation in the athletic activity, sign and return an acknowledgement that they have received and reviewed the sudden cardiac arrest information posted on the California Department of Education's web site.</p>	<p>districts to post on their web sites the information provided on CDE's web site pertaining to sudden cardiac arrest.</p>
			<p>The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding the nature and warning signs of sudden cardiac arrest.</p>	<p>CSBA NOTE: Education Code 33479.6 requires the coach of an athletic activity to complete, every two years, a training course related to the nature and warning signs of sudden cardiac arrest. See AR 4127/4227/4327 - Temporary Athletic Team Coaches. Free online courses are available through CIF's web site.</p>
			<p>If a student athlete passes out or faints, or is known to have passed out or fainted, while participating in or immediately following participation in an athletic activity, the student shall be removed from participation at that time. If a student exhibits any other symptoms of sudden cardiac arrest, including seizures during exercise, unexplained shortness of breath, chest pains, dizziness, racing heart rate, or extreme fatigue, the student may be removed from participation by a coach or other employee who observes these symptoms. If any such symptoms are observed, notification shall be given to the student's parent/guardian so that the parent/guardian can determine the treatment, if any, the student should seek. A student who has been removed from participation shall not be permitted to return until the student is evaluated and given written clearance to return to participation by a health care provider.</p>	<p>CSBA NOTE: Education Code 33479.5 and CIF bylaws provide for a student's removal from participation in an athletic activity if the student passes out or faints. As defined by Education Code 33479.1, an "athletic activity" includes (1) interscholastic athletics; (2) an athletic contest or competition sponsored by a school, including cheerleading and club-sponsored sports activities; (3) noncompetitive cheerleading sponsored by a school; and (4) practices, interscholastic practices, and scrimmages for all these activities. Pursuant to Education Code 33479.5, this requirement does not apply when a student engages in an athletic activity during the regular school day or as part of a physical education course, unless the activity constitutes a practice, interscholastic practice, or scrimmage. Furthermore, Education Code 33479.5 authorizes, but does not require, the removal of a student from an athletic activity if the student exhibits symptoms of sudden</p>



					cardiac arrest other than passing out or fainting, as provided below. However, to promote student safety, the district may choose to require its staff to remove from an athletic activity a student who exhibits any symptom of sudden cardiac arrest at any time.
				<b>Automated External Defibrillators</b>	<b>New category and paragraphs added</b>
				The Superintendent or designee shall acquire at least one automated external defibrillator (AED) for each district school and shall make the AED(s) available to coaches, athletic trainers, and/or other authorized persons at athletic activities or events for the purpose of providing emergency care or treatment to students, spectators, and other individuals in attendance at athletic activities and events.	<p>CSBA NOTE: Pursuant to Education Code 35179.6, a district that offers an interscholastic athletic program is required to make an automated external defibrillator (AED) available to coaches, athletic trainers, and/or other authorized persons at athletic activities or events. Education Code 35179.6 encourages districts to make AEDs available for emergency care or treatment within three to five minutes of sudden cardiac arrest to any person in attendance at an on-campus athletic activity or event. See BP/AR 5141 - Health Care and Emergencies for requirements related to employee notifications and the proper use and maintenance of AEDs.</p> <p>Education Code 35179.6 clarifies that the district or district employee will not be liable for civil damages resulting from any act or omission in the rendering of emergency care or treatment provided that the employee complies with the requirements of Health and Safety Code 1797.196 and does not act with gross negligence or willful or wanton misconduct by using, attempting to use, or maliciously failing to use an AED to render emergency care or treatment.</p>
				The district shall comply with all requirements of Health and Safety Code 1797.196 pertaining to any AED acquired by the district,	

			including, but not limited to, regular maintenance and testing of the AED and the provision and posting of information regarding the proper use of the AED.	
		<b>Parental Notifications</b>	<b>Additional Notifications</b>	
1		Before a student participates in interscholastic athletic activities, the Superintendent or designee shall send a notice to the student's parents/guardians which:	Before students participate in practice or competition as part of interscholastic athletic activities, the Superintendent or designee shall, in addition to providing the students and their parents/guardians with the notices described above, send a notice to the students and their parents/guardians which:	CSBA NOTE: This <b>optional</b> section lists notices that the district may send to students participating in interscholastic athletics and their parents/guardians. This section should be revised to reflect district practice.
	1	Contains information about the procedures for filing a discrimination complaint that arises out of an interscholastic athletic activity, including the name of the district's Title IX Coordinator	<b>No change</b>	CSBA NOTE: Education Code 33353 requires CIF to provide information to students and parents/guardians about procedures for discrimination complaints arising from interscholastic athletic activities. Education Code 33354 allows a complainant to file a discrimination complaint directly with CDE.
	2	Includes a copy of the Athletes' Bill of Rights pursuant to Education Code 271	Includes a copy of students' Title IX rights pursuant to Education Code 221.8	CSBA NOTE: Education Code 221.61 requires districts to post specified information on their web sites related to Title IX. A district that does not maintain a web site may comply by posting the information on the web site of its county office of education. A comprehensive list of rights based on the provisions of the federal regulations implementing Title IX can be found in Education Code 221.8. See AR 5145.3 - Nondiscrimination/Harassment. <b>Optional</b> item #2 below provides that this information will also be provided in writing to the parents/guardians of student athletes.
	3	Explains that there is an element of risk associated with all athletic competition and that the district cannot guarantee that students will not be injured, despite a	Explains that there is an element of risk associated with all athletic competitions and that the district cannot guarantee that students will not be injured, despite a	CSBA NOTE: In Kahn v. East Side Union High School District, the California Supreme Court analyzed the liability of a coach for an injury to a member of a high school diving team. The

		commitment to provide for every participant's health and welfare	commitment to every participant's health and welfare	<p>court acknowledged that some risk of injury is inherent in sports and part of a coach's job is to "push" a student athlete to advance in skill level and to undertake more difficult tasks. According to the court, a coach could be found liable only when the coach intentionally injures the student or engages in conduct that is so reckless that it is outside of the ordinary activity involved in teaching or coaching the sport.</p> <p>The district may or may not wish to seek a waiver of liability for accidents or injuries resulting from participation in athletic activities. Whether a liability waiver is legally effective is likely to be determined on a case-by-case basis, and it is questionable whether a student's right to participate in extracurricular activities could be made contingent upon the submission of a waiver. Legal counsel should be consulted when addressing the complex issues related to liability waivers.</p>
4		Provides information about insurance protection pursuant to Education Code 322221.5	<b>No change</b>	CSBA NOTE: Education Code 32221.5 requires the district to provide information about insurance protection to each student participating on a school athletic team. For specific language that must be contained in this statement, see AR 5143 - Insurance.
5		Requests parental permission for the student to participate in the program and, if appropriate, be transported by the district to and from competitions	<b>No change</b>	
6		States the Governing Board's expectation that students adhere strictly to all safety rules, regulations and instructions as well as rules and guidelines related to conduct and sportsmanship	States the district's expectation that students adhere strictly to all safety rules, regulations, and instructions, as well as rules and guidelines related to conduct and sportsmanship	CSBA NOTE: Pursuant to Education Code 48900, a student may be subject to suspension or expulsion for engaging, or attempting to engage, in hazing.

	7		Includes a copy of the local California Interscholastic Federation league rules	<b>No change</b>	
	8		Includes information about the CIF bylaw and district policy requiring any student athlete and his/her parent/guardian to sign a statement that the student will not use steroids or dietary supplements banned by the U.S. Anti-Doping Agency	Includes information about the CIF bylaw and district policy requiring any student athlete and the student's parent/guardian to sign a statement that the student will not use steroids, unless prescribed by a licensed health care practitioner, and will not use prohibited dietary supplements that include substances banned by the U.S. Anti-Doping Agency	CSBA NOTE: Pursuant to Education Code 49033 and CIF bylaws, any student participating in athletics and the student's parent/guardian must sign the statement described below. Also see BP/AR 5131.63 - Steroids.
				9. Includes the opioid fact sheet published by the Centers for Disease Control and Prevention in accordance with Education Code 49476. The district shall provide this fact sheet annually to each student athlete and shall require the student and the student's parent/guardian to sign a document acknowledging receipt of the fact sheet	<b>New section added</b> CSBA NOTE: Pursuant to Education Code 49476, as added by SB 1109 (Ch. 693, Statutes of 2018), the district must annually provide to student athletes and their parents/guardians CDC's opioid fact sheet for patients. The CDC's fact sheet, Prescription Opioids: What You Need To Know, is available on its web site.