

**ATHLETIC COMPETITION**

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

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 Board Policy 0410 – Nondiscrimination in District Programs and Activities. (Education Code 220, 221.5, 230; 5 CCR 4920; 34 CFR 1006.41)

*(cf. 0410 – Nondiscrimination in District Programs and Activities)*  
*(cf. 5145.3 – Nondiscrimination/Harassment)*

The Superintendent or designee may provide single-sex teams when selection for the teams is based on competitive skills. (5 CCR 491; 34 CFR 106.41)

Each student shall be allowed to participate in any single-sex athletic program or activity consistent with his/her gender identity and for which he/she is otherwise eligible to participate, irrespective of the gender listed on the student’s records. (Education Code 221.5)

*(cf. 5125 – Student Records)*

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. (5 CCR 4921; 34 CFR 106.41)

The Superintendent or designee shall ensure that equivalent opportunities are available to both sexes in athletic programs by considering, among other factors: (5 CCR 4922; 34 CFR 106.41)

1. Whether the offered selection of sports and levels of competition effectively accommodate the interests and abilities of both sexes. The athletic program may be found to effectively accommodate the interests and abilities of both sexes using any one of the following tests (Education Code 230)
  - a. Whether the interscholastic-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments.
  - b. 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.

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- c. 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 1.b. above, whether the district can demonstrate that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program.
2. The provision and maintenance of equipment and supplies.
3. Scheduling of games and practice times, selection of the season for a sport, and location of the games and practices.
4. Travel and per diem allowances.
5. Opportunities to receive coaching and academic tutoring.
6. Assignment and compensation of coaches and tutors.
7. Provision of locker rooms, practice facilities, and competitive facilities.
8. Provision of medical and training facilities and services.
9. Provision of housing and dining facilities and services.
10. Publicity.
11. Provision of necessary funds.

Each school that offers competitive athletics shall, at the end of the school year, post on its school website, or on the district website if the school does not have a website, the following information: (Education Code 221.9)

1. The total enrollment of the school, classified by gender.
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 website. (Education Code 221.9)

*(cf. 3580 – District Records)*

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### **Parental Notifications**

Before a student participates in interscholastic athletic activities, the Superintendent or designee shall send a notice to the student's parents/guardians which:

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.

*(cf. 1312.3 – Uniform Complaint Procedures)*

2. Includes a copy of students' Title IX rights pursuant to Education Code 221.8.
3. 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 commitment to every participant's health and welfare.

*(cf. 3530 – Risk Management/Insurance)*

4. Provides information about insurance protection pursuant to Education Code 32221.5.
5. Requests parental permission for the student to participate in the program and, if appropriate, be transported by the district to and from competitions.
6. 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.
7. Includes a copy of the local CIF league rules.

Regulation approved:  
March 12, 2019

**SAN DIEGO UNIFIED SCHOOL DISTRICT**  
San Diego, California