

Board Office Use: Legislative File Info.	
File ID Number	21-0284
Introduction Date	2/24/21
Enactment Number	21-0259
Enactment Date	2/24/2021 er



**OAKLAND UNIFIED  
SCHOOL DISTRICT**  
*Community Schools, Thriving Students*

# Board Cover Memorandum

**To** Board of Education

**From** Kyla Johnson-Trammell, Superintendent  
Sondra Aguilera, Chief Academic Officer  
Joshua R. Daniels, General Counsel

**Meeting Date** February 24, 2021

**Subject** Amendment, Board Policy 6145 - Instruction - Extracurricular and Co-curricular Activities

**Ask of the Board** Approval by the Board of Education of Amendment, Board Policy 6145 - Instruction Extracurricular and Co-curricular Activities, as delineated.

**Background** Oakland Unified School District's governing board is responsible for ensuring that Oakland Unified Schools and Offices comply with state and federal laws and regulations governing educational programs. Board Policy 6145 - Extracurricular Co-curricular Activities Policy reflects district compliance with state and federal laws.

**Discussion** The amended policy updates the previous policy to ensure OUSD is compliant with new or updated state or federal laws and regulations governing educational programs.

**Fiscal Impact** N/A

**Attachment(s)**

- Proposed Amendments to Board Policy 6145 - Extracurricular Co-curricular Activities Policy (REDLINE)
- Proposed Amendments to Board Policy 6145 - Extracurricular Co-curricular Activities Policy (CLEAN)

## OAKLAND UNIFIED SCHOOL DISTRICT

### Board Policy

BP 6145

#### Instruction

##### Extracurricular and Co-curricular Activities

The Governing Board recognizes that extracurricular and co-curricular activities enrich the educational and social development and experiences of students. -The ~~district~~District shall encourage and support student participation in extracurricular and co-curricular activities without compromising the integrity and purpose of the educational program.

No extracurricular or co-curricular program or activity shall be provided or conducted separately and no ~~district~~District student's participation in extracurricular and co-curricular activities shall be required or refused based on the student's actual or perceived ancestry, color, gender, gender identify, gender expression immigration status, sex, sexual orientation, ethnic group identification, race, ~~ancestry,~~ national origin, religion, ~~color,~~ or mental or physical disability.- Requirements for participation in extracurricular and co-curricular activities shall be limited to those that are essential to the success of the activity. -(5 CCR 4925)

A student shall be permitted to participate in sex-segregated school programs and activities consistent with his or her gender identity, irrespective of the gender listed on the pupil's records. (Education Code section 221.5(f))

Any complaint regarding the ~~district's~~District's extracurricular and co-curricular programs or activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures.

No student shall be prohibited from participating in extracurricular and co-curricular activities related to the educational program because of inability to pay fees associated with the activity.

##### Eligibility Requirements

To be eligible to participate in extracurricular and co-curricular activities, students in grades 7 through 12 must demonstrate satisfactory educational progress in the previous grading period including but not limited to:

1. ~~1.~~—Maintenance of a minimum of 2.0 grade point average on a 4.0 scale.
2. ~~2.~~—Maintenance of minimum progress toward meeting high school graduation requirements.

The Superintendent or designee may grant ineligible students a probationary period of not more than one semester. ~~Students granted probationary eligibility must meet the required standards by the end of the probationary period in order to remain eligible for participation.~~

Any decision regarding the eligibility of a homeless student, foster youth, or child of an active duty military family for extracurricular or cocurricular activities shall be made by the Superintendent or designee in accordance with Education Code sections 48850 and 49701.

The Superintendent or designee shall provide the necessary assistance to help ineligible students achieve the academic standards required by law.

(cf. 6164.5 - Student Success Teams)  
(cf. 6176 - Weekend/Saturday Classes)  
(cf. 6177 - Summer School)  
(cf. 6179 - Supplemental Instruction)

The Superintendent or designee may revoke a student's eligibility for participation in extracurricular and co-curricular activities when the student's poor citizenship is serious enough to warrant loss of this privilege.

#### Annual Policy Review

The Board shall annually review this policy and implementing regulations.

#### Legal Reference:

##### EDUCATION CODE

35145 ~~-Public meetings~~

35160.5 ~~- District policy rules and regulations; requirements; matters subject to regulation~~

35179 ~~-Interscholastic athletics; associations or consortia~~

48930-48938 ~~-Student organizations~~

##### CODE OF REGULATIONS, TITLE 5

350 ~~-Fees not permitted~~

4900-4965 ~~- Nondiscrimination in elementary and secondary education programs receiving state financial assistance~~

5531 ~~- Supervision of extracurricular activities of pupils~~

##### UNITED STATES CODE, TITLE 42

2000h-2-2000h-6 ~~-Title IX, 1972 Education Act Amendments~~

##### COURT DECISIONS

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

#### Management Resources:

##### CDE LEGAL ADVISORIES

001.90- Access to School-Related Activities and Events by Disabled Students, LO: 3-0  
409.87- Requirements for Pupil Participation in Extracurricular and Cocurricular activities, AB  
2613, CIL: 86/87-11

WEB SITES

California Association of Directors of Activities: <http://www.cada1.org>

7/14/04; 8/9/06A; 9/26/07R; 2/24/21A

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**Board Policy**

**BP 6145**  
**Instruction**

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