

Personnel

BP 4127 (a)

4227

TEMPORARY ATHLETIC TEAM COACHES

4327

The Governing Board desires to employ highly qualified coaches for the district's sports and interscholastic athletic programs in order to enhance the knowledge, skills, motivation, and safety of student athletes.

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee may employ a certificated or noncertificated employee, other than a substitute employee, to supervise or instruct interscholastic athletic activities as a temporary employee in a limited assignment capacity. (5 CCR 5590)

(cf. 4121 - Temporary/Substitute Personnel)

***Note: When hiring a temporary athletic team coach, Education Code 44919 requires districts to first make the position available to a credentialed teacher presently employed by the district. In CTA v. Rialto Unified School District, the California Supreme Court held that the law is intended to grant a current certificated employee a limited advantage in the hiring process over a noncertificated employee or a nonemployee, provided that the applicant applies for the position and meets qualification criteria established by the district. ***

When hiring a person to fill a position as a temporary athletic team coach, the position shall first be made available to qualified certificated teachers currently employed by the district. (Education Code 44919)

All coaches shall be subject to Board policies, administrative regulations, and California Interscholastic Federation bylaws and codes of ethical conduct.

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.63 - Steroids)

Noncertificated coaches have no authority to give grades to students. (5 CCR 5591)

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

Qualifications

***Note: 5 CCR 5593 establishes the minimum qualifications for employees serving as temporary athletic team coaches; see the accompanying administrative regulation. ***

TEMPORARY ATHLETIC TEAM COACHES (continued)

The Superintendent or designee shall establish qualification criteria for all athletic coaches in accordance with law and district standards. These criteria shall ensure that coaches possess an appropriate level of competence, knowledge, and skill.

***Note: Effective July 9, 2010, AB 346 (Ch. 52, Statutes of 2010) amended Education Code 49024 to require any noncertificated employee or any volunteer who works with students in a district-sponsored student activity program such as an interscholastic athletic program to obtain an Activity Supervisor Clearance Certificate (ASCC) from the Commission on Teacher Credentialing, unless the district requires the candidate to clear a Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) criminal background check prior to beginning the paid or volunteer duties; see BP/AR 1240 - Volunteer Assistance. This legislation was introduced in response to legislation passed in 2009 (AB 1025, Ch. 379, Statutes of 2009) which had required noncertificated personnel or volunteers who "supervise, direct, or coach the activity" to obtain an ASCC. ***

***Note: Thus, the Governing Board may choose whether to require a temporary athletic team coach to obtain the ASCC (Option 1 below) and/or to obtain a DOJ/FBI criminal background check (Option 2 below). The Board may select either one of the options below, combine them to allow an individual to obtain either the ASCC or DOJ/FBI check at the individual's discretion, or to apply different requirements to different positions in the district (e.g., head coaches vs. assistant coaches; employees vs. volunteers). ***

***Note: In addition, AB 346 amended Education Code 45125.01 to allow multiple districts within a county or within contiguous counties to share criminal record information of noncertificated employees and volunteers working in a student activity program; see AR 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records. ***

Any noncertificated employee or volunteer who works with students in a district-sponsored interscholastic athletic program shall, prior to beginning his/her duties, obtain a Department of Justice and Federal Bureau of Investigation criminal background check through the district. (Education Code 49024)

An individual who possesses a current Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing, issued prior to July 9, 2010, shall have satisfied district requirements for the criminal background check. (Education Code 49024)

(cf. 1240 - Volunteer Assistance)

(cf. 4112.5/4312.5 - Criminal Record Check)

(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)

(cf. 4212.5 - Criminal Record Check)

TEMPORARY ATHLETIC TEAM COACHES (continued)

Legal Reference:

EDUCATION CODE

35179-35179.7 *Interscholastic athletics*
44010 *Sex offense*
44011 *Controlled substance offense*
44332-44332.5 *Temporary certificates*
44424 *Conviction of a crime*
44808 *Liability when students are not on school property*
44919 *Classification of temporary employees*
45125.01 *Interagency agreements for criminal record information*
45347 *Instructional aides subject to requirements for classified staff*
45349 *Use of volunteers to supervise or instruct students*
49024 *Activity Supervisor Clearance Certificate*
49030-49034 *Performance-enhancing substances*
49406 *Examination for tuberculosis*

CODE OF REGULATIONS, TITLE 5

5531 *Supervision of extracurricular activities*
5590-5596 *Duties of temporary athletic team coaches*

COURT DECISIONS

CTA v. Rialto Unified School District, (1997) 14 Cal. 4th 627
San Jose Teachers Association, CTA, NEA v. Barozzi, (1991) 230 Cal.App.3d 1376

Management Resources:

CSBA PUBLICATIONS

Steroids and Students: What Boards Need to Know, Policy Brief, July 2005
A School Board Member's Guide to CIF and Interscholastic Sports, 1997
CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS
Pursuing Victory with Honor, 1999
California Interscholastic Federation Constitution and Bylaws
COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE
10-11 Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), July 20, 2010

WEB SITES

CSBA: <http://www.csba.org>
California Athletic Trainers' Association: <http://www.ca-at.org>
California Department of Education: <http://www.cde.ca.gov>
California Interscholastic Federation: <http://www.cifstate.org>
Commission on Teacher Credentialing: <http://www.ctc.ca.gov>
National Athletic Trainers' Association: <http://www.nata.org>

Policy

Adopted: July 13, 2006

Revised: May 13, 2010; October 14, 2010

VACAVILLE UNIFIED SCHOOL DISTRICT

Vacaville, California