

AAUW Capitol Hill Lobby Corps
The High School Athletics Accountability Act
February 8, 2007

I. MESSAGE: Hold high schools accountable for enforcing Title IX.

- **Request:** Please co-sponsor the High School Athletics Accountability Act, which requires all high schools to report data on girls' and boys' athletic opportunities, resources, and funding. It is an important step in determining where Title IX is not being enforced. Requiring schools to report this data is the only proactive way to hold them accountable to Title IX standards.

II. BACKGROUND

Prior to 1972, women and girls were offered few opportunities in athletics. In 1971 fewer than 295,000 girls participated in high school varsity athletics, accounting for just 7 percent of all high school varsity athletes. The outlook for college women was equally grim: fewer than 30,000 females competed in intercollegiate athletics. Low participation rates reflected the lack of institutional commitment to providing athletics programming for women. Before Title IX, female college athletes received only 2 percent of overall athletic budgets, and athletic scholarships for women were virtually nonexistent.

Since enactment of Title IX of the Education Amendments of 1972, opportunities for women and girls in sports have increased dramatically. Despite these significant improvements, however, there is still an opportunity gap for boys and girls at the high school level. In fact, it is at this level where girls are failed the most. Currently, girls comprise 49 percent of the high school population,¹ yet they receive only 41 percent of all athletic participation opportunities, which is 1.25 million fewer participation opportunities than male high school athletes (and as we at AAUW know, boys' participation has not suffered because of Title IX – overall male athletics participation is still up 6.9% from 1972).

Significant strides have been made for women in college, due in no small part to the passage of the **Equity in Athletics Disclosure Act (EADA) of 1994**. This bill requires colleges and universities to report to the Department of Education data on the following areas for each men's team, women's team, and any team that includes both male and female athletes:

- Total number of participants and their gender
- Total scholarship expenditures
- Quotient representing total scholarship expenditures divided by total number of students
- Total number of contests for the team
- Total operating expenses for the team
- Total recruiting expenses for the team
- Total personnel expenses for the team
- Whether the head coach is male or female, and whether they are full time or part time
- Number of assistant coaches by gender and whether each particular coach is full time or part time
- Number of graduate assistant coaches and their respective genders
- Number of volunteer assistant coaches and their respective gender
- Ratio of participants to coaches
- Full compensation of the head coach

- Full compensation of assistant coaches
- Ratio of male participants to female participants in the entire athletic program
- Ratio of male scholarship expenses to female scholarship expenses in the entire athletic program
- Revenues from male and female athletics (broken down by football, men’s basketball, all other men’s programs, women’s basketball, and all other women’s programs)
- Total expenses for male and female athletics (broken down as above)

After passage of the EADA, it became clear which schools were doing a good job and which schools were failing women. The EADA requires that this data be made available to all students and to the public (the Department of Education has subsequently created a website where these statistics can be searched on any school in the country - www.ope.ed.gov/athletics).

No such reporting requirement exists for high schools, and AAUW believes this lack of “sunshine” accounts for the disparities we see in secondary schools. Enforcement at this level is usually retroactive, through the court system. The Department of Education’s Office of Civil Rights (OCR) conducts no audit to determine if schools are doing their jobs on Title IX. While the law does require every school to appoint a Title IX coordinator to ensure compliance, the vast majority of schools have no such coordinator. Of the few schools that claim to have a coordinator, often it is the case that the particular teacher doesn’t even know they are the coordinator, and doesn’t know enough about Title IX and its regulations to ensure compliance.

III. WHAT THIS BILL WOULD DO

Differing slightly from the EADA (primarily because of scholarship and recruiting at the college level), the HSAAA would require the Statistics Commissioner at the Department of Education to collect annual data from all schools receiving public funds, including:

- Number of male and female students
- Listing of the teams that competed in athletic competition, and for each
 - Season in which the team competed
 - Total number of participants, broken down by
 - gender
 - race
 - ethnicity
 - Total budget and expenses for the team for
 - travel
 - equipment
 - uniforms
 - facilities, including locker rooms, fields, and gymnasiums
 - trainers (full and part time), identifying trainers by gender
 - publicity for competitions
 - Total number of coaches (full and part time, head and assistant) and for each coach the following data:
 - gender
 - qualifications
 - Total number of competitions scheduled, and what time they are scheduled
 - Whether the teams participated in postseason competition, and the relative success of such competition

IV. STATUS

The High School Athletics Accountability Act was introduced in the House on Feb. 7th by Rep. Louise Slaughter (D-NY), it has not yet been assigned a bill number. AAUW hopes this bill could be incorporated into No Child Left Behind or the Higher Education Act.

NOTE: Wednesday, February 07, 2007, was National Girls and Women in Sports Day, Rep. Slaughter sent out a Dear Colleague letter yesterday informing members of the day and this particular bill.

Original Co-Sponsors

- | | |
|-------------------------|---------------------------|
| 1. Louise M. Slaughter | 13. Keith Ellison |
| 2. Shelley Moore Capito | 14. Raul Grijalva |
| 3. Lois Capps | 15. Jane Harman |
| 4. Judy Biggert | 16. Sheila Jackson-Lee |
| 5. Hilda Solis | 17. Stephanie Tubbs Jones |
| 6. Illeana Ros-Lehtinen | 18. John Larson |
| 7. Madeleine Bordallo | 19. Barbara Lee |
| 8. Chris Shays | 20. Carolyn Maloney |
| 9. Yvette Clarke | 21. Betty McCollum |
| 10. John Conyers | 22. Janice Schakowsky |
| 11. Susan Davis | 23. Chris VanHollen |
| 12. Rosa DeLauro | 24. Lynn Woolsey |

V. TALKING POINTS

- **“Sunshine is the best disinfectant.”** The old political cliché applies here, implying that by making information public, existing problems will be identified and can be solved. By requiring schools to make disclosures about their athletic offerings and expenses for male and female students, Congress would be taking positive, proactive steps to ensuring compliance with Title IX. Shedding light on current deficiencies is the best way to determine where we stand, and where we need to make improvements.
- **Sport participation is an investment in the psychological health of women.**¹ Girls and women who participate in sports have higher levels of confidence, stronger self-images and lower levels of depression
- **Female athletes are more likely to develop positive school and lifestyle habits.** High school girls who participate in sports are less likely to experience an unintended pregnancy.² They also graduate at a significantly higher rate (68%) than women students in general (59%),³ and get better grades. Statistics have shown that teenage female athletes are less likely to smoke, to use marijuana, alcohol, cocaine, or other illicit drugs; they are also less

¹ Miller Lite Report, 1985; Melpomene Institute, 1995; Colton & Gore, Risk, Resiliency, and Resistance: Current Research on Adolescent Girls, Ms. Foundation, 1991

² The Women’s Sports Foundation Report: Sport and Teen Pregnancy, May 1998; Women's Sports Foundation, 1989

³ Division 1 NCAA Study on Graduation Rates, 2000

likely to be suicidal, and are more likely to have a positive body image than female nonathletes.⁴ Additionally, 80% of women identified as key leaders in Fortune 500 companies participated in sports while growing up,⁵ and 82% of executive businesswomen played sports and the majority said lessons learned on the playing field contributed to their success in business.⁶

- **Athletics participation during high school has significant lifetime health benefits.** Research has shown that in many areas, early physical activity can bolster health in later life. For example, eighty percent of all people with osteoporosis (brittle bones) are female, and one out of every two women over the age of 60 has osteoporosis. Adequate calcium intake and weight-bearing exercise, especially in a female's high school and college years, is crucial in the prevention of osteoporosis, a \$15 billion/year health problem.⁷ Girls who participate in as little as four hours of exercise per week may reduce their lifelong risk of breast cancer (a disease that will affect one out of every eight women) by up to 60%.⁸
- **High school athletics offers many students a ticket to higher education.** The opportunity to play sports helps many middle and low-income students – who may otherwise be unable to attend college – gain access to higher education. Female students receive 1.1 million fewer opportunities to play high school sports than do male students, which translate into many lost opportunities for athletic scholarships which are often their ticket to higher education.
- **Participation in sports provides many teenagers with a structured, positive after-school environment.** Working parents often worry about where their kids are after the school day is finished. Like after-school programs and activities, participation in sports helps keep girls and boys focused and out of trouble after the bell rings.
- **Female athletes are more likely to refrain from sexual activity.** They are significantly more likely to begin having sex at a later age and to have fewer sex partners. They are half as likely to experience an unintended pregnancy as compared to female non-athletes.
- **Girls who participate in sports develop a strong work ethic and good school habits.** Graduation rates are significantly higher for female athletes (68%) than for female students in general (59%). Female athletes also tend to get better grades compared to other female students

VI. TARGETS

Members of the House Education and Workforce Committee (except original cosponsors), and members who had previously cosponsored the bill in the 109th Congress,

VII. WHO TO ASK FOR : Education LA

⁴ Women's Sports Foundation Health Risks and the Teen Athlete, March 2001

⁵ Bunker, L.K. "Life Long Benefits of Sports Participation", June 22, 1988

⁶ National Survey Game Face – From Locker Room to Boardroom: Survey on Sports in the Lives of Women Business Executives, February 2002

⁷ Teegarden, Proulx, et al., 1996, Medicine and Science in Sports and Exercise, 1996; vol. 28, pp. 105-113

⁸ Journal of the National Cancer Institute, 1994

ⁱ U.S. Census Bureau, Current Population Survey 2005. School Enrollment, Table 1.
<http://www.census.gov/population/socdemo/school/cps2005/tab01-01.xls> Accessed January 19, 2007.