

108TH CONGRESS
1ST SESSION

S. RES. 40

Reaffirming congressional commitment to title IX of the Education Amendments of 1972 and its critical role in guaranteeing equal educational opportunities for women and girls, particularly with respect to school athletics.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2003

Mr. BIDEN submitted the following resolution; which was referred to the
Committee on Health, Education, Labor, and Pensions

RESOLUTION

Reaffirming congressional commitment to title IX of the Education Amendments of 1972 and its critical role in guaranteeing equal educational opportunities for women and girls, particularly with respect to school athletics.

Whereas in 1972, Congress enacted title IX of the Education Amendments of 1972 (referred to in this resolution as “title IX”), the Federal statute prohibiting sex discrimination in education;

Whereas title IX prohibits discrimination based on sex in 11 areas of education, including admissions, financial aid, academic programs, student services, classroom assignments, vocational education, and athletics;

Whereas since the passage of title IX, opportunities for women and girls in organized sports have dramatically increased;

Whereas the number of female college athletes has increased nearly 5-fold from fewer than 32,000 prior to enactment of title IX to over 150,000 since enactment of title IX;

Whereas women currently constitute more than 40 percent of all college athletes, compared with 15 percent in 1972;

Whereas female athletes have higher graduation rates than female nonathletes;

Whereas a 2002 nationwide survey found that 82 percent of women business executives played organized sports after grammar school, including sports on school, intramural, or recreational teams;

Whereas there has been a marked increase in the number of female professional sports and athletes since enactment of title IX;

Whereas at the high school level, almost 3,000,000 girls are playing competitive sports today, while fewer than 300,000 girls played competitive sports prior to the enactment of title IX;

Whereas today girls are entering high schools sports at almost twice the rate of boys, as evidenced by the fact that there were 108,208 new female high school athletes in 2000–2001 versus 59,230 new male athletes in that year;

Whereas girls' participation in organized sports provides opportunities for leadership, teamwork, and competition, contributes to positive body image and good health, and offers critical personal contact with adult role models;

Whereas girls who participate in sports are less likely to take drugs, drink alcohol, smoke, or become pregnant than their nonparticipating peers;

Whereas female athletes often serve as role models both at school and within their communities;

Whereas while the past successes of title IX are impressive, girls and women still need the full protections of the Federal law;

Whereas in schools that participate in Division I of the National Collegiate Athletic Association (referred to in this resolution as “Division I schools”), women represent 53 percent of the student body, but they receive only 43 percent of the total athletic scholarship dollars, 32 percent of the recruiting dollars, and 36 percent of the operating budget dollars;

Whereas in 2000, at Division I schools, for every \$1 being spent on women’s sports, almost \$2 was being spent on men’s sports;

Whereas from 1992 to 1997, men’s athletic operating budgets increased by 139 percent while women’s athletic operating budgets increased by only 89 percent;

Whereas compliance with title IX does not require schools to eliminate men’s sports teams, nor does title IX impose strict quotas; and

Whereas all the Federal courts of appeals that have considered the constitutionality of title IX have upheld the regulations and requirements issued under title IX: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) reaffirms its commitment—

1 (A) to ending all discrimination against
2 women and girls in elementary, secondary, and
3 higher education; and

4 (B) to equal opportunities for women and
5 girls in athletics;

6 (2) recognizes the continued importance of title
7 IX in providing needed protections for women and
8 girls;

9 (3) expresses its concern that rolling back title
10 IX regulations and compliance requirements may
11 jeopardize the extraordinary progress of women and
12 girl athletes; and

13 (4) requests that the President maintain the in-
14 tegrity of title IX by rejecting any attempts to weak-
15 en current regulations and interpretations.

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